

Commission on Peace Officer Standards and Training
COMMISSION MEETING AGENDA

Thursday, January 26, 1978
Friday, January 27, 1978
Kona Kai Club - Bay View Room
1551 Shelter Island Drive
Shelter Island, San Diego

10 a. m. to 5 p. m.
9 a. m. to 3 p. m.

A. OPENING OF MEETING

Introduction of Guests

B. APPROVAL OF MINUTES, October 13-14, 1977

Action

C. CONSENT CALENDAR

Action

1. Financial Report 2nd Quarter F. Y. 1977/78
2. Course Certification/Decertification/Modification Report

Since the last Commission meeting, there have been 14 course certifications, six modifications, and three courses decertified.

- a. Audit Report of DOJ Homicide Investigation Course
- b. Evaluation of CSTI's Violent Crimes Course

3. Letter of resignation from Commissioner Loren Enoch

Recommend approval of his resignation request and the enclosed Resolution of Appreciation citing his long and dedicated service to the POST Commission.

4. Letter of resignation from Advisory Committee Member, Jack Pearson, and approval of Resolution of Appreciation.
5. Letter of reassignment from Commissioner Glen Craig regarding Advisory Committee Member W. F. Fradenburg, and approval of Resolution of Appreciation.
6. Evaluation of Special Programs
 - a. 128th San Francisco Basic Course
 - b. CPOA-POST Seminars
7. Attorney General's Opinions

In July the Commission requested informal opinions on four subjects. They are included in this report and in effect approve present

Commission procedures:

- a. Cancellation of Professional Certificates
- b. Local Agency Variance from Commission Standards
- c. Training Assessment Process
- d. Characterization of Commission as "service" or "regulatory" agency

8. Written Communications

Note: Written communications will be considered and acted upon only upon the request of the Chairman or a member of the Commission.

- a. Letter from California State University and Colleges, Coordinator of Public Safety, requesting administrative counseling services for campus police departments.
- b. Letter from California State Sheriffs' Association regarding search and management training.

D. F. Y. 1978/79 REIMBURSEMENT POLICY

Action

The attached report recommends the present salary reimbursement policy be continued through F. Y. 1978/79. It points out the ability of the Commission to continue this fiscal policy until July 1981 when it is anticipated the planned reserve will be depleted. Also included for consideration are:

1. Requests from several agencies to extend reimbursement for attendees to the basic academies. Estimates are included for extending out-of-pocket costs.
2. A listing of known and probable 1978/79 contract requests.
3. A discussion paper outlining two major alternative reimbursement concepts.

E. BASIC COURSE COMPLETION REQUIREMENT COMMITTEE REPORT

Action

Co-Chairpersons Commissioners Holloway and Kolender will report on results of their Sub-Committee's meetings. Information used by the Committee in its deliberations is enclosed.

F. REVOCATION OF CERTIFICATES

Action

This staff report was first presented in July 1977 but held over pending the above listed Attorney General's Opinion. It discusses the procedure necessary for a POST Certificate revocation program and requests the Commission develop a policy statement.

- G. BASIC COURSE PERFORMANCE TEST Action
- Six bids have been received for the Basic Course Test contract. Results of the formal bid review and an evaluation of the proposals will be presented by staff.
- H. SPECIALIZED LAW ENFORCEMENT CERTIFICATION PROGRAM Action
- To update the Specialized Law Enforcement Program, this report presents alternates in five categories:
- Curriculum
 - Certificates
 - Moritorium on new agency entry
 - Requirements for agency entry into the program
 - Training standards for Penal Code Section 13510.5
- I. ADVISORY COMMITTEE REPORT Information
- Chairman Tielsch will comment on the Committee's work. He will also make a special report on the following subject which was assigned to the Committee by the Commission:
- Reserve Officer Law Implementation
- J. POST SUPERVISORY CERTIFICATE REPORT Action
- The attached feasibility study indicates a POST Professional Supervisory Certificate Program could be implemented for approximately \$ 23,000.
- K. DRIVER TRAINING REPORT Action
1. Study status
 2. Standards and Training recommendation for additional slots for January through June 1978.
- L. SELECTION STANDARDS VALIDATION COMMITTEES
- Chairman Grogan will report on the following:
1. Status report on job analysis.
 2. Status report on LEAA funding proposal.
- M. LEGISLATIVE REVIEW COMMITTEE REPORT Information
Action
- Chairman Ellingwood will present this Committee's report including:
1. Proposed legislation
 2. Discussion of Commission pursuing a legislative program

N. C. S. T. I. - DOJ COMMITTEE REPORT

Action

Committee Chairman Sporrer will report on results of his Committee's meetings.

O. USE OF CATEGORIES OF NON-CONFORMANCE IN REPORTING TO THE COMMISSION

Action

Staff recommends adoption of categories which will give the Commission and law enforcement administrators understanding.

P. APPOINTMENTS TO ADVISORY COMMITTEE

Action

Wayne Caldwell, Specialized Law Enforcement; Win Silva, Community Colleges; and Chief George Tielsch, Chiefs' Association, all had three-year terms that expired in September 1977.

Sergeant John Riordon, San Rafael Police Department, has been nominated by PORAC to serve in the vacancy created by the resignation of Jack Pearson.

Deputy Chief Larry Watkins, newly appointed CHP Training Division Commander, has been nominated by CHP Commissioner Craig to replace Assistant Chief William Fradenburg.

Q. ELECTION OF OFFICERS

Action

R. OLD/NEW BUSINESS

1. CSU - San Jose, Management Course
2. Civilian Tear Gas Training Problem
3. Management Course - Contract; Intergovernmental Training and Development Center, San Diego County

S. DATES OF FUTURE MEETINGS

April 20-21
July 27-28
October 19-20

T. ADJOURNMENT

State of California
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

October 13-14, 1977
Palm Springs, California

The meeting was called to order at 10 a. m. by Chairman Anthony.
A quorum was present.

Commissioners present:

William J. Anthony	- Chairman
Brad Gates	- Commissioner
Robert F. Grogan	- Commissioner
Luella K. Holloway	- Commissioner
Jacob J. Jackson	- Commissioner
William B. Kolender	- Commissioner
Edwin R. McCauley	- Commissioner
Donald F. McIntyre	- Vice-Chairman (Present 10-14 only)
Louis L. Sporrer	- Commissioner

Commissioners absent:

Loren Enoch
Herbert E. Ellingwood

Advisory Committee present:

Representing:

George P. Tielsch (Chairman)	- CPCA
Wayne C. Caldwell	- Specialized Law Enforcement
Roberta Doran	- WPOA
James H. Grant	- CSSA
Alex Pantaleoni	- CAAJE
Jack Pearson	- PORAC
Jay Rodriguez	- Public Member
Win Silva	- Community Colleges
Robert Wasserman	- CPOA

Staff present:

William R. Garlington	- Executive Director
Dave Allan	- Bureau Chief, Center for Police Management
Glen E. Fine	- Bureau Chief, Special Projects
Bradley W. Koch	- Director, Standards and Training
Otto H. Saltenberger	- Director, Administration
Harold L. Snow	- Special Assistant, Executive Office

Staff present - cont.

Gerald E. Townsend
Imogene Kauffman

- Director, Executive Office
- Commission Secretary

Visitors:

Fred Allen
Chuck Anderson
Stan Anderson
Jackie Baird
Hal Becker
Frank Budd
Ben Clark
Dolf Corvelli
J. K. Crowe
Keith Emerson
Robert Fissel
L. O. Giuffrida
Robert Hammond
Derald D. Hunt
Dave Hoffman
Jim Holts
Peter Jensen
Lewis E. Jones
Richard Klapp
Joe McKeown

Gerald S. Martin
Martin J. Mayer
Don Merrell
Don Meyers
Dave Parker
Raul Ramos
J. C. Ringhofer
Archie W. Sherman
Raymond L. Silagy
Kip Skidmore
Merlin J. Smith
Barry H. Staggs
John T. Voss
Ralph H. Woodworth

- Director, Butte Center
- Gavilan College
- Santa Rosa Training Center
- California State University and Colleges
- CSULB
- Riverside City College
- Sheriff, Riverside County
- Yuba County Sheriff's Department
- F.B.I., Los Angeles
- San Diego Police Department
- Captain, San Bernardino Marshal's Office
- Director, C. S. T. I.
- Torrance Police Department
- Golden West College, Peace Officer Academy
- Academy of Defensive Driving
- O. C. J. P.
- Assembly Committee on Criminal Justice
- San Diego Sheriff's Department
- Lieutenant, San Francisco Police Department
- Contra Costa Criminal Justice Training Center, C. A. D. A. Chairman
- C. S. T. I.
- League of California Cities
- Riverside City College
- Department of Justice
- College of Sequoias
- Chief Deputy, Orange County Sheriff's Dept.
- San Bernardino Sheriff's Dept.
- Bakersfield College
- Torrance Police Dept.
- Department of Justice
- Palm Springs Police Department
- Los Angeles Police Protective League
- CHP Academy
- Chief Deputy, Riverside County Sheriff's Department

A. Opening of MeetingB. Approval of Minutes of July 29, 1977 Regular Commission Meeting

MOTION - Gates, second - Holloway, carried unanimously that the minutes of the July 29 Commission meeting be approved.

C. Consent Calendar

MOTION - Grogan, second - McCauley, motion carried for approval of the consent calendar; an exception being the Course Certification item. Those courses with individual discussion and action are to be so noted.

1. Financial Report - 1st Quarter F. Y. 1977/78 (See Attachment "A")
2. Course Certification/Decertification/Modification Report

During the first quarter there were 22 certifications (3 were recertifications), 6 decertifications and 7 modifications.

<u>Title</u>	<u>Presenter</u>	<u>Reimbursement Plan</u>
Team Building Workshop	Melvin J. LeBaron	III
Internal Affairs Investigation Procedures	CSU, San Jose	I
Managing Performance Objectives Training	Metcalf-Moore Associates	III
Homicide Investigations Course	DOJ-Advanced Training Center	II

MOTION - Gates, second - Anthony, MOTION FAILED, (Ayes: Gates, Jackson) for decertification of this course.

MOTION - Gates, second Jackson, carried unanimously that an audit be made of this course, to include a cost breakdown of how DOJ is dispersing the money.

Jail Management	NCCJTES, Santa Rosa Center	IV
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Course Certification - cont.

<u>Title</u>	<u>Presenter</u>	<u>Reimbursement Plan</u>
Emergency Care & Cardio- pulmonary Resuscitation Instructors Course	Santa Clara Valley Criminal Justice Training Center	IV
Crisis Intervention	L. E. T. R. A.	III
Spanish for Peace Officers	BI Language Services	III

(Following discussion on presenter and capability of course accomplish-
ment, no action was taken against approval.)

Vice Investigation	CSU, San Jose	III
Records Officer Course	Los Medanos College	II
Complaint Dispatcher	Los Medanos College	II
Investigation of Violent Crimes	CSTI	II

MOTION - Kolender, second Holloway, motion carried
(Noes: Gates, Grogan, Jackson) that this course be
certified.

Team Building Workshop	Tom Anderson	III
International Terrorism Seminar	CSTI	IV
Advanced Officer Course	CJRS	II
Advanced Latent Finger- print school	DOJ-Advanced Trng. Center	IV
Jail Operations	SanJoaquin S. D.	N/A
Search and Rescue Mgt.	O. E. S.	IV
Supervisory Course	Orange County S. D.	II
Crime & Crisis Management in the Schools	CSTI	IV

MOTION - Kolender, second - Jackson, carried unanimously
that this course not be recertified.

Course Certification - cont.

<u>Title</u>	<u>Presenter</u>	<u>Reimbursement Plan</u>
Political Violence & Terrorism	CSTI	IV
Executive Development Seminar	CSTI	IV

MOTION - Sporrer, second - Grogan, carried unanimously for recertification of existing course, "Political Violence and Terrorism" as an Executive Development Seminar.

MODIFICATIONS:

Training Managers Course	Golden Gate University	Increase tuition fm. \$325 to \$338.
Traffic Pgm. Management Institute	Cal State Polytechnic Univ., Pomona	Increase tuition fm \$153 to \$161.
Research & Planning	" "	Increase tuition fm. \$130 to \$139.
Jail Management	" "	Decrease tuition fm. \$135 to \$132.
Crime Prevention Inst.	Loss Prevention	Increase tuition fm. \$214.40 to \$256.14.
Advanced Officer	L. A. S. D.	To exceed 40 hours.
Advanced Accident Investigation	L. A. P. D.	From Plan IV to Plan II.

DECERTIFICATIONS

Managing Performance Objective Training	Rossi-Moore Associates
School Resource Officer Institute	Academy of Justice, Riverside
Middle Management	UC Extension, Santa Cruz
Fire Investigator I	Cal. Fire Serv. Academy
Fire Investigator II	" "
Fire Investigator III	" "

Consent Calendar - cont.

3. Attorney General's Opinions

As requested by the Commission, informal opinions have been requested from the Attorney General. The opinions had not been received at date of the meeting.

- a. Cancellation of Professional Certificates.
- b. Lattitude of Commission in determining compliance with its standards.
- c. The regulatory vs. service agency role of POST.
- d. Use of Basic Course Equivalency process.

4. Resolution of Appreciation

Resolution of Appreciation for Lieutenant Jerome Lance, Long Beach Police Department, for his more than five years on POST Advisory Committee as CAPTO representative.

5. Correspondence

Included were letters from several agencies requesting extension of reimbursement for the Basic Course from 10 to 12 weeks. Staff report recommended no action until January when reimbursement issues are normally considered.

6. Commission Policy & Procedures

Policy developed by Commission at the last meeting.

7. County Personnel Administrators' Association of California

A request for membership on the Advisory Committee.
Denial recommended by the Advisory Committee.

8. New C. A. P. T. O. Representative to Advisory Committee

CAPTO has nominated Dale Rickford, Captain, Antioch Police Department, to serve as its new representative.
Advisory Committee recommended approval.

D. Budget Review Committee Report

MOTION - Grogan, second - Mc Cauley, carried unanimously for ratification of the following recommendations by the Budget Review Committee at their August 18, 1977, meeting:

- Approve the 1978/79 F. Y. Administrative Budget as presented.
- Approve the Aid to Local Government Budget as presented.
- Strongly recommend staff reorganization Plan I, as presented.
- Direct staff to identify outstanding law enforcement training courses and arrange with agencies, through inter-agency agreements, to transport the instructors to any location where other agencies can benefit from the training. The Committee agreed the modular form of instruction should be continued and is compatible with the above motion.
- Reduce permanent Administrative Counseling staff as proposed in Plan I and hire experts from local agencies, through inter-agency agreements or individual contracts, to assist staff with surveys, as necessary.
- Approve Executive Director's continuing negotiations with Department of General Services for space in the proposed DOJ building.

E. Basic Course Completion Requirements

MOTION - Kolender, second - McCauley, for approval of the Advisory Committee's recommendation that due to the complexity of the problem, a consortium committee be appointed by the Chairman to study the issue and present recommendations to the Commission at the January meeting.

Commissioner Kay Holloway will Chair the committee.
 Bill Kolender - Co-Chairman
 Ed McCauley - Member
 Jake Jackson - Member
 Win Silva - Member

Association representatives will be appointed by the Chairman. Commissioner Kolender volunteered his legal advisor to serve on the Committee.

F. Public Hearing on Proposed Regulation Change, Section 1005 (a)
Minimum Standards for Training - Basic Course

MOTION - Gates, second - Kolender, carried unanimously that new Section 1005 (a) be amended to read, "The course of training approved by the Commission is the Basic Course." The suggested language, ". . . or the Sheriff's Orientation Course" to be deleted.

MOTION - Holloway, second - Grogan, motion carried (No - Jackson) for approval of the remaining amendment as proposed. (Attachment "B")

G. Basic Course Performance Test

MOTION - Kolender, second - Holloway, carried unanimously for adoption of the following option:

Option #3: Develop all the item pools and evaluation instruments discussed in Options #1 and #2. This option will provide the maximum benefit to POST and to the academies.

The academies would benefit from PCST's development of the item pools, i.e., items which are very costly and difficult to develop. PCST would benefit from the standardized paper-and-pencil tests which would be used to evaluate and work with the academies to strengthen their programs.

Cost: The cost of this option would be slightly more than Option #1. The reason the cost is not equal to Options #1 and #2 combined is that only one paper-and-pencil item pool needs to be developed (instead of two separate pools). Under this option, part of the item pool would be given to academies and part of it would be maintained by POST for the standardized test. This option would produce the greatest benefits to both POST and the academies.

MOTION - Grogan, second - Holloway, carried unanimously that staff is to proceed with the RFP schedule as presented.

Oct. 13, 1977

H. California Specialized Training Institute Committee Report

CSTI Committee Chairman Sporrer reported the result of the Committee's deliberations was:

- POST should discontinue block funding to CSTI and contract for courses. Staff should work out a satisfactory agreement with CSTI.
- Staff should investigate military orientation of CSTI in relationship to ability to teach police courses.
- Staff should evaluate courses based on quality of instructors and facility and make a determination whether they are appropriate for California law enforcement.
- Staff should determine the equities of California law enforcement attendees being barred from reimbursement by L. E. A. A. funds.

There was consensus for approval of the report. Direction was given for the Committee to recommend courses and a funding arrangement for F. Y. 1978/79 no later than the April Commission meeting.

I. Cancellation of Certificates

Held over until the January meeting, awaiting a requested Attorney General Opinion on legalities of this issue.

J. Driver Training Report

A progress report, together with associated data, was presented. There was consensus that staff is "on the right track" with the Police Vehicle Accident Study, and should continue on these lines.

Direction was given that the report should be presented to the Legislature by November 1, in compliance with the Senate Finance Resolution of May 1977, with the caveat that this is a very preliminary report.

K. Advisory Committee Report

1. Minimum Standards for Basic Academies

MOTION - McCauley, second - Grogan, carried unanimously to accept the recommendation of the Advisory Committee for the "Guidelines" for the Basic Course Academies, proposed by CADA, to be used only as "guidelines" for all academies.

2. Criminal Justice Standards and Training Concept

MOTION - Kolender, second - McCauley, motion carried (Noes: McCauley and McIntyre) for acceptance of the Advisory Committee's recommendation that, although there is concern with the entire criminal justice system and the advancement of the system, until the peace officer standards and training reach a level which can facilitate branching out, the Commission not pursue avenues of expansion to anyone other than law enforcement.

The Chairman directed that this action be conveyed to Doug Cunningham, Executive Director, O.C.J.P.

L. Legislative Review Committee Report

Chaptered versions of legislation of concern to law enforcement were presented, and a status report on legislation concerning the Commission was presented.

MOTION - Jackson, second - Kolender, carried unanimously for acceptance of the Legislative Review Committee Report.

a. Assembly Criminal Justice Subcommittee Study on Specialized Law Enforcement Training

A status report was made on the progress of the Subcommittee's study. POST staff provided testimony on September 29 concerning Hostage Negotiations and intends to provide similar testimony at the October 17 meeting concerning SWAT.

M. Standards Validation Project Report

Standards Validation Committee Chairman, Commissioner Grogan, reported that it is believed the federal grant money for the project is forthcoming. When the grant money is received, the Committee will convene.

a. Request for Contract - Job Analysis Project

MOTION - Grogan, second - McCauley, carried unanimously

for approval of a contract with Research Consulting Service, not to exceed \$15,000, for computer processing and analysis of questionnaire data of the statewide job analysis of the entry level patrol officer position.

N. Old/New Business

1. Reserve Training Standards

The methodology and approximate time line of the implementation plan for A.B. 641 -- Reserve Officer Training Standards -- was approved. There was consensus that staff should develop guidelines for the development of selection and training standards for reserves, to be reviewed by the Advisory Committee at their next meeting in December. Their recommendations will be presented to the Commission in January 1978. Commissioner Gates suggested that the Basic Course Consortium also be involved in reviewing the recommendations.

2. FPFC Conflict of Interest Code

No action required. A document handout for Commissioners.

3. Data Processing Feasibility Study

MOTION - Jackson, second - McCauley, motion carried (Noes: Sporrer and Gates) for approval of the following concept:

Should the feasibility study result in an acceptance of a computerized "Law Enforcement Training" data system, it will be necessary to adopt regulations which will require the timely reporting of personnel transactions. These would include appointments, promotions and terminations of regular, reserve and specialized officers in the POST program.

4. Civilian Orientation Program

MOTION - Jackson that the Commission consider building a standardized orientation program for newly hired civilian employees in law enforcement. Motion died for lack of a second.

5. POST Supervisory Certificate

MOTION - Jackson, second Holloway, carried unanimously that a staff study be made on the feasibility of reinstituting the POST Supervisory Certificate. A report will be made at the January Commission meeting.

6. POST Management Course - Humboldt State University

MOTION - Grogan, second - Kolender, carried unanimously for approval of a contract with Humboldt State University to present the new POST Management Course based on performance objectives. Three contract presentations are approved for F. Y. 1977/78. Total three presentations not to exceed \$20,008.

O. Proposed Dates for 1978 Commission Meetings

The following meeting schedule was approved. Exact locations are to be determined at a later date:

January 26-27
April 20-21
July 27-28
October 19-20

P. Election of Officers for 1978

MOTION - Jackson, second - Kolender, carried unanimously that the Commission's officers remain status quo until the Governor takes action on the expired and vacant appointments to the Commission.

Announcement: Peter Jensen, Consultant, Assembly Criminal Justice Committee announced the Assembly Sub-Committees on Law Enforcement Specialized Training and Penal Reform have scheduled a joint interim hearing to discuss the changing law with regard to the use of deadly force. The hearing is set for December 12, 10 to 5 at the Department of Health Auditorium, Los Angeles.

Q. Adjournment



Imogene Kauffman
Commission Secretary

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Financial Report - First Quarter 1977-78 F.Y.		Meeting Date October 13-14, 1977
Division Administration	Division Director Approval O. H. Saltenberger	Researched By
Executive Director Approval W. R. G. [Signature]	Date of Approval 10-12-77	Date of Report
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/>		Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

This report covers the First Quarter of the 1977-78 Fiscal Year, July 1 through September 30, 1977, showing revenue for the Peace Officers' Training Fund and expenditures made from the Fund for administrative costs and for reimbursements for training costs to cities, counties, and districts in California. Detailed information is included showing a breakdown of training costs by category of expense, i.e., subsistence, travel, tuition and salary of the trainee (Schedule I). Also included is a quarterly summary of reimbursement (Schedule II) made from the Peace Officers' Training Fund providing detailed information on:

Reimbursements made for each course category of training,
Number of Trainees,
Cost per trainee,
Hours of training.

(Schedules are on file at POST Headquarters)

REVENUE

Revenue from traffic and criminal fines for the first three months of the 1977-78 Fiscal Year totalled \$3,047,625.22 compared to \$3,073,985.38 for the corresponding quarter in 1976-77, a decrease of \$26,360.16 (8/10 of one %). See Page 3 showing detail of revenue by month.

REIMBURSEMENTS

Reimbursements to cities, counties, and districts for the first three months of the 1977-78 Fiscal Year totalled \$1,129,124.39 compared to \$387,680.98 for the corresponding period 1976-77 Fiscal Year, an increase of \$741,443.41 (+191.25%). Salary reimbursement for Job Specific training amounts to \$61,224.37.

A total of \$1,005,484.37 was reimbursed during the first three months of the 1977-78 Fiscal Year for training occurring in the 1976-77 Fiscal Year. This increases the amount of reimbursement paid for 1976-77 Fiscal Year training to a total of \$8,188,824.82.

76/77 Reimbursement as of 6/30/77 F.Y.	\$7,183,340.45
76/77 Training paid in 77/78 F.Y.	1,005,484.37
	<hr/> \$8,188,824.82

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER TRAINING FUND

ANALYSIS OF CHANGE IN ACCUMULATED SURPLUS

Accumulated Reserve July 1, 1977		\$4,239,549.88	
Revenue July 1, 1977 through September 30, 1977		3,047,625.22	
Total Resources			\$7,287,175.10
<u>Expenditures</u>			
Administrative Costs		546,389.64	
Aid to Local Governments			
Reimbursement for training claims received	\$1,129,124.39		
Contractual Services	<u>17,361.42</u>		
Total Aid to Local Governments		<u>1,146,485.81</u>	
al Expenditures			<u>1,692,875.45</u>
Unadjusted Accumulated Surplus September 30, 1977			\$5,594,299.65
Less: Understatement of Aid to Local Government Payments			
on June 30, 1977 (FY 76-77 training reimbursement)			<u>359,654.80</u>
Adjusted Accumulated Surplus September 30, 1977			<u><u>\$5,234,644.85</u></u>

Commission on Peace Officer Standards and Training
PROPOSED REGULATION CHANGE

October 13, 1977

1005. Standards for Training

(a) Basic Course (Required)

New

Penal Code Section 832.3 requires that officers of cities, counties and districts complete a course of training approved by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer. The course of training approved by the Commission is:

For elected sheriffs and elected chiefs of police:

The Basic Course or the Sheriff's Orientation course

For all other officers:

The Basic Course.

Penal Code Section 832.3 further provides that officers who have not completed an approved course may exercise the powers of a peace officer while participating as trainees in a field training program approved by the Commission on Peace Officer Standards and Training.

Delete

~~(1) -- Each and every trainee employed by a county sheriff's department, city police department or district authorized by statute to maintain a police department shall meet the requirements of Section 832.3 P.C.~~

New

(1) Every officer, except those participating as trainees in a POST approved field training program, shall be required to satisfactorily meet the training requirements of the Basic Course before being assigned duties which include the prevention and detection of crime and the general enforcement of state laws.

Requirements for the Basic Course are set forth in PAM, Section D, "The Basic Course".

New

(2) Agencies may assign newly appointed sworn personnel as peace officers for a period not to exceed 90 days from date of hire, without such personnel being enrolled in the Basic Course, if the Commission has approved a field training plan submitted by the agency and the personnel are full-time participants therein.

Requirements for a POST Field Training Program are set forth in PAM, Section D, "Field Training Program".

(not

changed)

(3) Reimbursement may be paid to jurisdictions which terminate a trainee or allow a trainee to resign prior to completion of the Basic Course provided the requirements of Section 1002 (a)(1) through (6) have been completed prior to the date the course commences.

Attachment "B"

State of California
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

October 13-14, 1977
Palm Springs, California

The meeting was called to order at 10 a. m. by Chairman Anthony.
A quorum was present.

Commissioners present:

William J. Anthony	- Chairman
Brad Gates	- Commissioner
Robert F. Grogan	- Commissioner
Luella K. Holloway	- Commissioner
Jacob J. Jackson	- Commissioner
William B. Kolender	- Commissioner
Edwin R. McCauley	- Commissioner
Donald F. McIntyre	- Vice-Chairman (Present 10-14 only)
Louis L. Sporrer	- Commissioner

Commissioners absent:

Loren Enoch
Herbert E. Ellingwood

Advisory Committee present:

Representing:

George P. Tielsch (Chairman)	- CPCA
Wayne C. Caldwell	- Specialized Law Enforcement
Roberta Doran	- WPOA
James H. Grant	- CSSA
Alex Pantaleoni	- CAAJE
Jack Pearson	- PORAC
Jay Rodriguez	- Public Member
Win Silva	- Community Colleges
Robert Wasserman	- CPOA

Staff present:

William R. Garlington	- Executive Director
Dave Allan	- Bureau Chief, Center for Police Management
Glen E. Fine	- Bureau Chief, Special Projects
Bradley W. Koch	- Director, Standards and Training
Otto H. Saltenberger	- Director, Administration
Harold L. Snow	- Special Assistant, Executive Office

Staff present - cont.

Gerald E. Townsend
Imogene Kauffman

- Director, Executive Office
- Commission Secretary

Visitors:

Fred Allen
Chuck Anderson
Stan Anderson
Jackie Baird
Hal Becker
Frank Budd
Ben Clark
Dolf Corvelli
J. K. Crowe
Keith Emerson
Robert Fissel
L. O. Giuffrida
Robert Hammond
Derald D. Hunt
Dave Hoffman
Jim Holts
Peter Jensen
Lewis E. Jones
Richard Klapp
Joe McKeown

Gerald S. Martin
Martin J. Mayer
Don Merrell
Don Meyers
Dave Parker
Raul Ramos
J. C. Ringhofer
Archie W. Sherman
Raymond L. Silagy
Kip Skidmore
Merlin J. Smith
Barry H. Staggs
John T. Voss
Ralph H. Woodworth

- Director, Butte Center
- Gavilan College
- Santa Rosa Training Center
- California State University and Colleges
- CSULB
- Riverside City College
- Sheriff, Riverside County
- Yuba County Sheriff's Department
- F.B.I., Los Angeles
- San Diego Police Department
- Captain, San Bernardino Marshal's Office
- Director, C. S. T. I.
- Torrance Police Department
- Golden West College, Peace Officer Academy
- Academy of Defensive Driving
- O. C. J. P.
- Assembly Committee on Criminal Justice
- San Diego Sheriff's Department
- Lieutenant, San Francisco Police Department
- Contra Costa Criminal Justice Training Center, C. A. D. A. Chairman
- C. S. T. I.
- League of California Cities
- Riverside City College
- Department of Justice
- College of Sequoias
- Chief Deputy, Orange County Sheriff's Dept.
- San Bernardino Sheriff's Dept.
- Bakersfield College
- Torrance Police Dept.
- Department of Justice
- Palm Springs Police Department
- Los Angeles Police Protective League
- CHP Academy
- Chief Deputy, Riverside County Sheriff's Department

A. Opening of MeetingB. Approval of Minutes of July 29, 1977 Regular Commission Meeting

MOTION - Gates, second - Holloway, carried unanimously that the minutes of the July 29 Commission meeting be approved.

C. Consent Calendar

MOTION - Grogan, second - McCauley, motion carried for approval of the consent calendar; an exception being the Course Certification item. Those courses with individual discussion and action are to be so noted.

1. Financial Report - 1st Quarter F.Y. 1977/78 (See Attachment "A")
2. Course Certification/Decertification/Modification Report

During the first quarter there were 22 certifications (3 were recertifications), 6 decertifications and 7 modifications.

<u>Title</u>	<u>Presenter</u>	<u>Reimbursement Plan</u>
Team Building Workshop	Melvin J. LeBaron	III
Internal Affairs Investigation Procedures	CSU, San Jose	I
Managing Performance Objectives Training	Metcalf-Moore Associates	III
Homicide Investigations Course	DOJ-Advanced Training Center	II

MOTION - Gates, second - Anthony, MOTION FAILED, (Ayes: Gates, Jackson) for decertification of this course.

MOTION - Gates, second Jackson, carried unanimously that an audit be made of this course, to include a cost breakdown of how DOJ is dispersing the money.

Jail Management

NCCJTES, Santa Rosa Center IV

Course Certification - cont.

<u>Title</u>	<u>Presenter</u>	<u>Reimbursement Plan</u>
Emergency Care & Cardio- pulmonary Resuscitation Instructors Course	Santa Clara Valley Criminal Justice Training Center	IV
Crisis Intervention	L. E. T. R. A.	III
Spanish for Peace Officers	BI Language Services	III

(Following discussion on presenter and capability of course accomplishment, no action was taken against approval.)

Vice Investigation	CSU, San Jose	III
Records Officer Course	Los Medanos College	II
Complaint Dispatcher	Los Medanos College	II
Investigation of Violent Crimes	CSTI	II

MOTION - Kolender, second Holloway, motion carried
(Noes: Gates, Grogan, Jackson) that this course be
certified.

Team Building Workshop	Tom Anderson	III
International Terrorism Seminar	CSTI	IV
Advanced Officer Course	CJRS	II
Advanced Latent Finger- print school	DOJ-Advanced Trng. Center	IV
Jail Operations	SanJoaquin S. D.	N/A
Search and Rescue Mgt.	O. E. S.	IV
Supervisory Course	Orange County S. D.	II
Crime & Crisis Management in the Schools	CSTI	IV

MOTION - Kolender, second - Jackson, carried unanimously
that this course not be recertified.

Course Certification - cont.

<u>Title</u>	<u>Presenter</u>	<u>Reimbursement Plan</u>
Political Violence & Terrorism	CSTI	IV
Executive Development Seminar	CSTI	IV

MOTION - Sporrer, second - Grogan, carried unanimously for recertification of existing course, "Political Violence and Terrorism" as an Executive Development Seminar.

MODIFICATIONS:

Training Managers Course	Golden Gate University	Increase tuition fm. \$325 to \$338.
Traffic Pgm. Management Institute	Cal State Polytechnic Univ., Pomona	Increase tuition fm \$153 to \$161.
Research & Planning	" "	Increase tuition fm. \$130 to \$139.
Jail Management	" "	Decrease tuition fm. \$135 to \$132.
Crime Prevention Inst.	Loss Prevention	Increase tuition fm. \$214.40 to \$256.14.
Advanced Officer	L. A. S. D.	To exceed 40 hours.
Advanced Accident Investigation	L. A. P. D.	From Plan IV to Plan II.

DECERTIFICATIONS

Managing Performance Objective Training	Rossi-Moore Associates
School Resource Officer Institute	Academy of Justice, Riverside
Middle Management	UC Extension, Santa Cruz
Fire Investigator I	Cal. Fire Serv. Academy
Fire Investigator II	" "
Fire Investigator III	" "

Consent Calendar - cont.

3. Attorney General's Opinions

As requested by the Commission, informal opinions have been requested from the Attorney General. The opinions had not been received at date of the meeting.

- a. Cancellation of Professional Certificates.
- b. Lattitude of Commission in determining compliance with its standards.
- c. The regulatory vs. service agency role of POST.
- d. Use of Basic Course Equivalency process.

4. Resolution of Appreciation

Resolution of Appreciation for Lieutenant Jerome Lance, Long Beach Police Department, for his more than five years on POST Advisory Committee as CAPTO representative.

5. Correspondence

Included were letters from several agencies requesting extension of reimbursement for the Basic Course from 10 to 12 weeks. Staff report recommended no action until January when reimbursement issues are normally considered.

6. Commission Policy & Procedures

Policy developed by Commission at the last meeting.

7. County Personnel Administrators' Association of California

A request for membership on the Advisory Committee.
Denial recommended by the Advisory Committee.

8. New C. A. P. T. O. Representative to Advisory Committee

CAPTO has nominated Dale Rickford, Captain, Antioch Police Department, to serve as its new representative.
Advisory Committee recommended approval.

D. Budget Review Committee Report

MOTION - Grogan, second - Mc Cauley, carried unanimously for ratification of the following recommendations by the Budget Review Committee at their August 18, 1977, meeting:

- Approve the 1978/79 F. Y. Administrative Budget as presented.
- Approve the Aid to Local Government Budget as presented.
- Strongly recommend staff reorganization Plan I, as presented.
- Direct staff to identify outstanding law enforcement training courses and arrange with agencies, through inter-agency agreements, to transport the instructors to any location where other agencies can benefit from the training. The Committee agreed the modular form of instruction should be continued and is compatible with the above motion.
- Reduce permanent Administrative Counseling staff as proposed in Plan I and hire experts from local agencies, through inter-agency agreements or individual contracts, to assist staff with surveys, as necessary.
- Approve Executive Director's continuing negotiations with Department of General Services for space in the proposed DOJ building.

E. Basic Course Completion Requirements

MOTION -Kolender, second - McCauley, for approval of the Advisory Committee's recommendation that due to the complexity of the problem, a consortium committee be appointed by the Chairman to study the issue and present recommendations to the Commission at the January meeting.

Commissioner Kay Holloway will Chair the committee.
 Bill Kolender - Co-Chairman
 Ed McCauley - Member
 Jake Jackson - Member
 Win Silva - Member

Association representatives will be appointed by the Chairman. Commissioner Kolender volunteered his legal advisor to serve on the Committee.

F. Public Hearing on Proposed Regulation Change, Section 1005 (a)
Minimum Standards for Training - Basic Course

MOTION - Gates, second - Kolender, carried unanimously that new Section 1005 (a) be amended to read, "The course of training approved by the Commission is the Basic Course." The suggested language, ". . . or the Sheriff's Orientation Course" to be deleted.

MOTION - Holloway, second - Grogan, motion carried (No - Jackson) for approval of the remaining amendment as proposed. (Attachment "B")

G. Basic Course Performance Test

MOTION - Kolender, second - Holloway, carried unanimously for adoption of the following option:

Option #3: Develop all the item pools and evaluation instruments discussed in Options #1 and #2. This option will provide the maximum benefit to POST and to the academies.

The academies would benefit from POST's development of the item pools, i. e., items which are very costly and difficult to develop. POST would benefit from the standardized paper-and-pencil tests which would be used to evaluate and work with the academies to strengthen their programs.

Cost: The cost of this option would be slightly more than Option #1. The reason the cost is not equal to Options #1 and #2 combined is that only one paper-and-pencil item pool needs to be developed (instead of two separate pools). Under this option, part of the item pool would be given to academies and part of it would be maintained by POST for the standardized test. This option would produce the greatest benefits to both POST and the academies.

MOTION - Grogan, second - Holloway, carried unanimously that staff is to proceed with the RFP schedule as presented.

H. California Specialized Training Institute Committee Report

CSTI Committee Chairman Sporrer reported the result of the Committee's deliberations was:

- POST should discontinue block funding to CSTI and contract for courses. Staff should work out a satisfactory agreement with CSTI.
- Staff should investigate military orientation of CSTI in relationship to ability to teach police courses.
- Staff should evaluate courses based on quality of instructors and facility and make a determination whether they are appropriate for California law enforcement.
- Staff should determine the equities of California law enforcement attendees being barred from reimbursement by L. E. A. A. funds.

There was consensus for approval of the report. Direction was given for the Committee to recommend courses and a funding arrangement for F. Y. 1978/79 no later than the April Commission meeting.

I. Cancellation of Certificates

Held over until the January meeting, awaiting a requested Attorney General Opinion on legalities of this issue.

J. Driver Training Report

A progress report, together with associated data, was presented. There was consensus that staff is "on the right track" with the Police Vehicle Accident Study, and should continue on these lines.

Direction was given that the report should be presented to the Legislature by November 1, in compliance with the Senate Finance Resolution of May 1977, with the caveat that this is a very preliminary report.

K. Advisory Committee Report

1. Minimum Standards for Basic Academies

MOTION - McCauley, second - Grogan, carried unanimously to accept the recommendation of the Advisory Committee for the "Guidelines" for the Basic Course Academies, proposed by CADA, to be used only as "guidelines" for all academies.

2. Criminal Justice Standards and Training Concept

MOTION - Kolender, second - McCauley, motion carried (Noes: McCauley and McIntyre) for acceptance of the Advisory Committee's recommendation that, although there is concern with the entire criminal justice system and the advancement of the system, until the peace officer standards and training reach a level which can facilitate branching out, the Commission not pursue avenues of expansion to anyone other than law enforcement.

The Chairman directed that this action be conveyed to Doug Cunningham, Executive Director, O. C. J. P.

L. Legislative Review Committee Report

Chaptered versions of legislation of concern to law enforcement were presented, and a status report on legislation concerning the Commission was presented.

MOTION - Jackson, second - Kolender, carried unanimously for acceptance of the Legislative Review Committee Report.

a. Assembly Criminal Justice Subcommittee Study on Specialized Law Enforcement Training

A status report was made on the progress of the Subcommittee's study. POST staff provided testimony on September 29 concerning Hostage Negotiations and intends to provide similar testimony at the October 17 meeting concerning SWAT.

M. Standards Validation Project Report

Standards Validation Committee Chairman, Commissioner Grogan, reported that it is believed the federal grant money for the project is forthcoming. When the grant money is received, the Committee will convene.

a. Request for Contract - Job Analysis Project

MOTION - Grogan, second - McCauley, carried unanimously

for approval of a contract with Research Consulting Service, not to exceed \$15,000, for computer processing and analysis of questionnaire data of the statewide job analysis of the entry level patrol officer position.

N. Old/New Business

1. Reserve Training Standards

The methodology and approximate time line of the implementation plan for A.B. 641 -- Reserve Officer Training Standards -- was approved. There was consensus that staff should develop guidelines for the development of selection and training standards for reserves, to be reviewed by the Advisory Committee at their next meeting in December. Their recommendations will be presented to the Commission in January 1978. Commissioner Gates suggested that the Basic Course Consortium also be involved in reviewing the recommendations.

2. FPFC Conflict of Interest Code

No action required. A document handout for Commissioners.

3. Data Processing Feasibility Study

MOTION - Jackson, second - McCauley, motion carried (Noes: Sporrer and Gates) for approval of the following concept:

Should the feasibility study result in an acceptance of a computerized "Law Enforcement Training" data system, it will be necessary to adopt regulations which will require the timely reporting of personnel transactions. These would include appointments, promotions and terminations of regular, reserve and specialized officers in the POST program.

4. Civilian Orientation Program

MOTION - Jackson that the Commission consider building a standardized orientation program for newly hired civilian employees in law enforcement. Motion died for lack of a second.

5. POST Supervisory Certificate

MOTION - Jackson, second Holloway, carried unanimously that a staff study be made on the feasibility of reinstituting the POST Supervisory Certificate. A report will be made at the January Commission meeting.

6. POST Management Course - Humboldt State University

MOTION - Grogan, second - Kolender, carried unanimously for approval of a contract with Humboldt State University to present the new POST Management Course based on performance objectives. Three contract presentations are approved for F. Y. 1977/78. Total three presentations not to exceed \$20,008.

O. Proposed Dates for 1978 Commission Meetings

- .. The following meeting schedule was approved. Exact locations are to be determined at a later date:

January 26-27
April 20-21
July 27-28
October 19-20

P. Election of Officers for 1978

MOTION - Jackson, second - Kolender, carried unanimously that the Commission's officers remain status quo until the Governor takes action on the expired and vacant appointments to the Commission.

Announcement: Peter Jensen, Consultant, Assembly Criminal Justice Committee announced the Assembly Sub-Committees on Law Enforcement Specialized Training and Penal Reform have scheduled a joint interim hearing to discuss the changing law with regard to the use of deadly force. The hearing is set for December 12, 10 to 5 at the Department of Health Auditorium, Los Angeles.

Q. Adjournment



Imogene Kauffman
Commission Secretary

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Financial Report - First Quarter 1977-78 F.Y.		Meeting Date October 13-14, 1977
Division Administration	Division Director Approval O. H. Salteneberger	Researched By
Executive Director Approval W. R. Salinger	Date of Approval 10-12-77	Date of Report
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

This report covers the First Quarter of the 1977-78 Fiscal Year, July 1 through September 30, 1977, showing revenue for the Peace Officers' Training Fund and expenditures made from the Fund for administrative costs and for reimbursements for training costs to cities, counties, and districts in California. Detailed information is included showing a breakdown of training costs by category of expense, i.e., subsistence, travel, tuition and salary of the trainee (Schedule I). Also included is a quarterly summary of reimbursement (Schedule II) made from the Peace Officers' Training Fund providing detailed information on:

Reimbursements made for each course category of training,
Number of Trainees,
Cost per trainee,
Hours of training.

(Schedules are on file at POST Headquarters)

REVENUE

Revenue from traffic and criminal fines for the first three months of the 1977-78 Fiscal Year totalled \$3,047,625.22 compared to \$3,073,985.38 for the corresponding quarter in 1976-77, a decrease of \$26,360.16 (8/10 of one %). See Page 3 showing detail of revenue by month.

REIMBURSEMENTS

Reimbursements to cities, counties, and districts for the first three months of the 1977-78 Fiscal Year totalled \$1,129,124.39 compared to \$387,680.98 for the corresponding period 1976-77 Fiscal Year, an increase of \$741,443.41 (+191.25%). Salary reimbursement for Job Specific training amounts to \$61,224.]

A total of \$1,005,484.37 was reimbursed during the first three months of the 1977-78 Fiscal Year for training occurring in the 1976-77 Fiscal Year. This increases the amount of reimbursement paid for 1976-77 Fiscal Year training to a total of \$8,188,824.82.

76/77 Reimbursement as of 6/30/77 F.Y.	\$7,183,340.45
76/77 Training paid in 77/78 F.Y.	1,005,484.37
	<hr/>
	\$8,188,824.82

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER TRAINING FUND

ANALYSIS OF CHANGE IN ACCUMULATED SURPLUS

Accumulated Reserve July 1, 1977		\$4,239,549.88	
Revenue July 1, 1977 through September 30, 1977		3,047,625.22	
Total Resources			\$7,287,175.10
<u>Expenditures</u>			
Administrative Costs		546,389.64	
Aid to Local Governments			
Reimbursement for training claims received	\$1,129,124.39		
Contractual Services	<u>17,361.42</u>		
Total Aid to Local Governments		<u>1,146,485.81</u>	
Total Expenditures			<u>1,692,875.45</u>
Unadjusted Accumulated Surplus September 30, 1977			\$5,594,299.65
Less: Understatement of Aid to Local Government Payments			
on June 30, 1977 (FY 76-77 training reimbursement)			<u>359,654.80</u>
Adjusted Accumulated Surplus September 30, 1977			<u><u>\$5,234,644.85</u></u>

Commission on Peace Officer Standards and Training
PROPOSED REGULATION CHANGE

October 13, 1977

1005. Standards for Training

(a) Basic Course (Required)

New

Penal Code Section 832.3 requires that officers of cities, counties and districts complete a course of training approved by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer. The course of training approved by the Commission is:

For elected sheriffs and elected chiefs of police:
The Basic Course or the Sheriff's Orientation course

For all other officers:
The Basic Course.

Penal Code Section 832.3 further provides that officers who have not completed an approved course may exercise the powers of a peace officer while participating as trainees in a field training program approved by the Commission on Peace Officer Standards and Training.

Delete

~~(1) -- Each and every trainee employed by a county sheriff's department, city police department or district authorized by statute to maintain a police department shall meet the requirements of Section 832.3 P.C.~~

New

(1) Every officer, except those participating as trainees in a POST approved field training program, shall be required to satisfactorily meet the training requirements of the Basic Course before being assigned duties which include the prevention and detection of crime and the general enforcement of state laws.

Requirements for the Basic Course are set forth in PAM, Section D, "The Basic Course".

New

(2) Agencies may assign newly appointed sworn personnel as peace officers for a period not to exceed 90 days from date of hire, without such personnel being enrolled in the Basic Course, if the Commission has approved a field training plan submitted by the agency and the personnel are full-time participants therein.

Requirements for a POST Field Training Program are set forth in PAM, Section D, "Field Training Program".

(not

changed)

(3) Reimbursement may be paid to jurisdictions which terminate a trainee or allow a trainee to resign prior to completion of the Basic Course provided the requirements of Section 1002 (a)(1) through (6) have been completed prior to the date the course commences.

Attachment "B"

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Financial Report - First Six Months 1977-78 F.Y.		Meeting Date January 26-27, 1978
Division Administration	Division Director Approval O. H. Saltenberger	Researched By Staff
Executive Director Approval <i>W. S. Sullivan</i>	Date of Approval 1-20-78	Date of Report 1/20/78
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

This report covers the first two quarters of the 1977-78 Fiscal Year, July 1 through December 31, 1977, showing revenue for the Peace Officers' Training Fund and expenditures made from the Fund for administrative costs and for reimbursements for training costs to cities, counties, and districts in California. Detailed information is included showing a breakdown of training costs by category of expense, i.e., subsistence, travel, tuition and salary of the trainee (Schedule I). Also included is a quarterly summary of reimbursement (Schedule II) made from the Peace Officers' Training Fund providing detailed information on:

Reimbursements made for each course category of training,
Number of Trainees,
Cost per trainee,
Hours of training.

REVENUE

Revenue from traffic and criminal fines for the first six months of the 1977-78 Fiscal Year totalled \$6,171,943.09 compared to \$6,099,440.23 for the corresponding quarter in 1976-77, an increase of \$72,502.86 (1.19%). See Page 3 showing detail of revenue by month.

REIMBURSEMENTS

Reimbursements to cities, counties and districts for the first six months of the 1977-78 Fiscal Year totalled \$3,637,726.61 compared to \$2,167,159.78 for the corresponding period 1976-77 Fiscal Year, an increase of \$1,470,566.83 (67.86%).

A total of \$1,021,786.07 was reimbursed during the first six months of the 1977-78 Fiscal Year for training occurring in the 1976-77 Fiscal Year. This increases the amount of reimbursement paid for 1976-77 Fiscal Year training to a total of \$8,205,810.35

76/77 Reimbursement as of 6/30/77 F.Y.	\$7,183,340.45
76/77 Training paid in 77/78 F.Y.	1,021,786.07

Net Adjustments
Grand Total Paid

\$8,205,126.52
+ 683.83
<u>\$8,205,810.35</u>

Utilize reverse side if needed

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

ANALYSIS OF CHANGE IN
PEACE OFFICER TRAINING FUND

Accumulated Resources July 1, 1977		\$3,476,711.00	
Revenue July 1, 1977 through December 31, 1977		<u>6,171,943.09</u>	
Total Resources			\$9,648,654.09
<u>Expenditures</u>			
Administrative Costs		\$1,154,520.22	
Aid to Local Governments			
Reimbursement for training claims received	\$3,637,726.61		
Contractual Services	<u>232,368.05</u>		
Total Aid to Local Governments		<u>3,870,094.66</u>	
Total Expenditures			<u>5,024,614.88</u>
Accumulated Resources December 31, 1977			<u>\$4,624,039.21</u>

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER TRAINING FUND

STATEMENT OF REVENUE

<u>Month</u>	<u>Traffic</u>	<u>Criminal</u>	<u>Total</u>
July	\$ 803,796.61	\$ 398,797.60	\$1,202,594.21
August	688,023.62	262,567.16	950,590.78
September	565,675.18	328,765.05	894,440.23
October	872,316.90	390,099.60	1,262,416.50
November	662,059.00	262,123.29	924,182.29
December	652,068.04	285,651.04	937,719.08
Total	<u>\$4,243,939.35</u>	<u>\$1,928,003.74</u>	<u>\$6,171,943.09</u>

REIMBURSEMENTS - BY MONTH		Commission On Peace Officer Standards and Training Administration Division - Claims Audit Section		
MONTH	1975-'76	1976-'77	1977-'78	TOTAL
July	\$	\$ 619,777.02	\$ 18,860.85	\$ 638,637.87
August		239,379.12	565,947.81	805,326.93
September		147,609.51	554,698.11	702,307.62
October		2,971.81	618,235.31	621,207.12
November		6,126.12	684,314.12	690,440.24
December		7,744.40	1,220,658.31	1,228,402.71
January				
February				
March				
April				
May				
June				
Total Before Adjustments	\$	\$ 1,023,607.98	\$ 3,662,714.51	\$ 4,686,322.49
Adjustments on Prior Reimb.		(-) 1,138.08	(-) 12,242.57	(-) 13,380.65
Audit Adjustments by Controller			(-) 12,745.33	(-) 12,745.33
Total After Adjustments	\$	\$ 1,022,469.90	\$ 3,637,726.61	\$ 4,660,196.51

CLAIMS PROCESSED BY MONTH		Commission on Peace Officer Standards and Training Administration Division - Claims Audit Section												
1977-78	Year	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
NEW CLAIMS RECEIVED	75-76	0	0	0	0	0	0							0
	76-77	489	235	120	9	12	5							870
	77-78	57	270	370	643	844	864							3,048
		546	505	490	652	856	869							3,918
Claims returned to Claimant for Correction			23	8	12	42	14							99
Correct Claims returned by Claimant		22	13	12	11	34	17							109
Claims completed and forwarded to Controller's Office	75-76	0	0	0	0	0	0							0
	76-77	479	247	138	10	9	10							893
	77-78	50	248	357	596	777	949							2,977
		529	495	495	606	786	959							3,870

DISTRIBUTION OF REIMBURSEMENT

During the first six months of the 1977-78 Fiscal Year, \$3,637,726.61 was reimbursed for training. Of this amount \$2,547,088.84 (70%) was reimbursed for mandated training and \$1,115,625.67 (30%) was reimbursed for training in Job Specific Courses and Technical Courses, the difference of (-) \$24,987.90 is for adjustments to prior reimbursement payments.

Basic	\$1,806,200.77	49%
Advanced Officer	509,364.29	14%
Supervisory Course	141,172.63	4%
Management Course	90,351.15	2%
Job Specific Courses	613,697.40	17%
Technical Courses	501,928.27	14%
Subtotal	\$3,662,714.51	100%
Adjustments	(-) 24,987.90	
Total	<u>\$3,637,726.61</u>	

PERCENT COMPARISON

The following chart shows a percent comparison of reimbursement and training between the first six months 1977-78 Fiscal Year and the first six months 1976-77 Fiscal Year:

MANDATED TRAINING

COURSES	REIMBURSEMENTS			NUMBER OF TRAINEES		
	1977-78	1976-77	% of Change	1977-78	1976-77	% of Change
Basic	1,806,200.77	861,188.88	+ 110	981	504	+ 95
Advanced Officer	509,364.29	408,787.99	+ 25	3,002	2,301	+ 30
Supervisory	141,172.63	84,616.97	+ 67	220	145	+ 52
Management	90,351.15	144,214.85	(-) 37	94	147	(-) 36
TOTAL MANDATED COURSES	\$2,547,088.84	\$1,498,808.69	+ 70	4,297	3,097	+ 39

TECHNICAL TRAINING

Job Specific	613,697.40	--		1,238	--	
Technical Courses and Seminars	501,928.27	663,017.66		2,443	3,042	
TOTAL TECHNICAL TRAINING	\$1,115,625.67	663,017.66	+ 68	3,681	3,042	+ 21
Net Adjustments	(-) 24,987.90	(+) 5,333.41	--	--	--	--
GRAND TOTAL	<u>\$3,637,726.61</u>	<u>\$2,167,159.78</u>	<u>+ 68</u>	<u>7,978</u>	<u>6,139</u>	<u>+ 30</u>

REIMBURSEMENT BY CATEGORY OF EXPENSE															State of California		Department of Justice	
MONTH	COURSE	FOR TRAINING TO DATE FOR 77-78 FISCAL YEAR										COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 7100 Bowling Drive, Sacramento, CA 95823						
DECEMBER		Total this Month	Subsistence	%	Travel	%	Tuition	%	Salary	%	TOTAL	%		%				
	BASIC		\$ 70,330.08		\$ 15,715.08				\$ 514,027.55		\$ 600,072.71							
		Previous Months	161,468.98		28,982.22				1,015,676.86		1,206,128.06							
		Total to Date	231,799.06	13	44,697.30	2			1,529,704.41	87	1,806,200.77	49						
	ADVANCED OFFICER																	
		Total this Month	6,377.08		3,646.40				109,809.46		119,832.94							
		Previous Months	27,302.26		12,131.87				350,097.22		389,531.35							
		Total to Date	33,679.34	7	15,778.27	3			459,906.68	90	509,364.29	14						
	SUPERVISORY COURSE																	
		Total this Month	9,180.70		1,912.43				44,292.71		55,385.84							
		Previous Months	14,789.57		5,383.37				65,613.85		85,786.79							
		Total to Date	23,970.27	17	7,295.80	5			109,906.56	78	141,172.63	4						
	MIDDLE MANAGEMENT COURSE																	
		Total this Month	13,085.80		2,170.71		6,920.00		33,843.68		56,020.19							
		Previous Months	9,037.06		2,194.60		7,685.00		15,414.30		34,330.96							
		Total to Date	22,122.86	24	4,365.31	5	14,605.00	16	49,257.98	55	90,351.15	2						
	EXECUTIVE DEVELOPMENT COURSE																	
		Total this Month																
		Previous Months																
		Total to Date																
	JOB SPECIFIC COURSES																	
		Total this Month	48,839.98		10,724.59		23,883.51		125,200.01		208,648.09							
		Previous Months	111,760.37		26,831.67		41,402.92		225,054.35		405,049.31							
		Total to Date	160,600.35	26	37,556.26	6	65,286.43	11	350,254.36	57	613,697.40	17						
	TECHNICAL/SPECIAL COURSES																	
		Total this Month	80,534.55		25,819.21		74,344.78				180,698.54							
		Previous Months	142,708.20		58,084.97		120,436.56				321,229.73							
		Total to Date	223,242.75	44	83,904.18	17	194,781.34	39			501,928.27	14						
	TOTAL FOR MONTH		228,348.19		59,988.42		105,148.29		827,173.41		1,220,658.31							
	TOTAL FOR PREVIOUS MONTHS		467,066.44		133,608.70		169,524.48		1,671,856.58		2,442,056.20							
	GRAND TOTAL TO DATE		\$695,414.63	19	\$193,597.12	5	\$274,672.77	8	\$2,499,029.99	68	\$3,662,714.51	100						

POST 1-223 (Rev. 10-77) \$3,662,714.51 Less Net Adjustments (-)24,987.90 = Net Reimbursement \$3,637,726.61

Commission on Peace Officer Standards and Training

Administration Division - Claims Audit Section

REIMBURSEMENT BY COURSE CATEGORY

1977-78 Fiscal Year
July 1, 1977 through December 31, 1977

Page 1 of 6

COURSE CODE	COURSE	AMOUNT OF REIMBURSEMENT	AVERAGE COST PER TRAINEE	NUMBER OF TRAINEES	HOURS OF TRAINING
1001	Basic	\$1,806,200.77	\$1,841.18	981	374,655
2001	Advanced Officer	509,364.29	169.67	3,002	85,950
3001	Supervisory	141,172.63	641.69	220	19,620
4001	Middle Management Course	90,351.15	961.18	94	8,214
	Job Specific	613,697.40	484.31	1,238	66,491
	Technical Courses	501,928.27	213.67	2,443	81,207
	Subtotal	\$3,662,714.51		7,978	636,137
	Adjustments to Prior Payments	- 12,242.57			
	State Controller Audit Adjustments	- 12,745.33			
	Total Reimbursements	\$3,637,726.61		7,978	636,137
1000	BASIC TRAINING				
1001	Basic Course	1,806,200.77	1,841.18	981	374,655
1050	Arrest and Firearms (P.C. 832)	302.74	30.27	10	386
2000	ADVANCED OFFICER				
2001	Advanced Officer Course	509,364.29	169.67	3,002	85,950
3000	SUPERVISION				
3001	Supervisory Course	141,172.63	641.69	220	19,620
3055	Civilian Supervisory School				
4000	MANAGEMENT TRAINING				
4001	Middle Management Course	90,351.15	961.18	94	8,214
4050	Supplemental Management Training				
4055	Program Evaluation and Review Techniques	1,148.23	164.03	7	166
4060	Cost Analysis and Budgeting				
4062	Field Management Training	7,228.35	157.14	46	1,096
JS 4065	Planning, Research and Development				
4065	Planning, Research and Development				
JS 4066	Research and Planning	4,448.44	635.49	7	280
4066	Research and Planning	706.13	353.07	2	80
4067	Research Design				
4070	Team Building Workshop	18,479.49	198.70	93	2,232
4075	Middle Management Seminar	9,607.11	174.67	55	1,320
5000	EXECUTIVE AND ADMINISTRATIVE				
5001	Executive Development Course				
5050	Executive Development Seminar	13,409.40	200.14	67	1,436
6000	FIELD OPERATIONS				
6007	Advanced Hostage Negotiations	3,408.64	200.51	17	408
6008	Basic Hostage Negotiations	15,280.13	260.07	57	2,280
6010	Analysis of Urban Terrorist Activities	7,384.90	217.20	34	1,480
6020	Boating Safety and Enforcement				

Commission on Peace Officer Standards and Training

Administration Division - Claims Audit Section

REIMBURSEMENT BY COURSE CATEGORY

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COURSE CODE	COURSE	AMOUNT OF REIMBURSEMENT	AVERAGE COST PER TRAINEE	NUMBER OF TRAINEES	HOURS OF TRAINING
6030	Breathalyzer Course				
6040	Civil Emergency Management	6,516.62	217.22	30	1,403
6045	Commercial Enforcement Training	1,360.80	226.80	6	480
JS 6047	Crime Prevention Institute	51,343.93	1,140.98	45	3,600
6047	Crime Prevention Institute	1,396.08	698.04	2	160
6049	Crisis Identification & Management				
6050	Crisis Intervention				
6051	Crisis Intervention (LETRA)	7,552.96	236.03	32	1,024
6052	Disaster and Riot Training				
JS 6054	Field Evidence Technician	87,486.68	1,366.98	64	7,394
6054	Field Evidence Technician	25,188.03	1,095.13	23	2,392
6060	Field Command Post Cadre School				
JS 6070	Field Training Officer Course	50,929.01	281.38	181	6,351
6070	Field Training Officer Course	707.62	176.91	4	164
6075	Law Enforcement Legal Education Program	16,729.58	261.40	64	2,560
6080	Law Enforcement Legal Education Update	6,562.48	177.36	37	734
6090	Law Enforcement Skills & Knowledges	135.06	19.29	7	184
6095	Narcotic Investigation for Peace Officers	1,906.77	54.48	35	700
6100	Officer Survival and Internal Security	58,232.00	210.99	276	12,958
6101	Officer Survival - San Bernardino	8,026.55	308.71	26	1,040
6105	Political Violence and Terrorism	8,903.28	211.98	42	1,927
6110	Protection of Public Officials	1,383.19	106.40	13	520
6115	Protective Services	2,461.90	205.73	12	480
6120	School Resource Officer	9,052.33	205.73	44	1,056
6121	School Resource Officer Institute				
6125	Crime and Crisis Management in Schools				
6130	Search and Rescue Management	5,132.10	91.64	56	1,100
6135	Team Policing Leadership				
6140	Underwater Search and Recovery				
6145	Unusual Incident Tactics	2,147.61	153.40	14	336
6150	Workshop on the Mentally Ill	3,610.29	212.37	17	408
7000	TRAFFIC				
JS 7005	Traffic Accident Investigation	33,731.85	298.51	113	4,514
7005	Traffic Accident Investigation	88.57	44.29	2	80
JS 7010	Advanced Traffic Accident Investigation	4,721.71	248.51	19	760
7010	Advanced Traffic Accident Investigation	72.00	72.00	1	40
7025	Traffic Program Management Institute	5,801.51	386.77	15	660
7030	Speed from Skidmark	1,888.90	171.72	11	440
JS 7050	Motorcycle Training	37,526.94	1,014.24	37	2,557
7050	Motorcycle Training				

Commission on Peace Officer Standards and Training

Administration Division - Claims Audit Section

REIMBURSEMENT BY COURSE CATEGORY

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COURSE CODE	COURSE	AMOUNT OF REIMBURSEMENT	AVERAGE COST PER TRAINEE	NUMBER OF TRAINEES	HOURS OF TRAINING
JS 7055	Motor Officer Training School				
7055	Motor Officer Training School				
8000	DRIVER TRAINING				
8005	Driver Training, Allied Agency	8,467.42	256.59	33	792
8010	Driver Training Program	446.72	64.10	7	120
8020	Driver Training School	313.90	104.63	3	48
8030	Advanced Driver Training	82,703.42	271.16	305	7,318
8040	Police Defensive Driving Course	97.95	16.33	6	126
9000	CRIMINAL INVESTIGATION				
JS 9001	Criminal Investigation	19,066.75	359.75	53	2,956
9001	Criminal Investigation				
9005	Crime Scene Investigation	10,423.62	359.44	29	1,160
9006	Physical Evidence Presentation	25,721.18	714.48	36	2,600
9010	Crime Specific	2,502.69	178.76	14	336
9015	Economic Crime Investigation Training	6,177.10	411.81	15	1,198
JS 9016	Investigation of Violent Crimes	10,526.22	478.46	22	1,034
9016	Investigation of Violent Crimes	170.63	170.63	1	47
9017	Investigation & Prosecution of Organized Crime in Pornography	797.48	79.75	10	360
JS 9020	Investigators School	16,070.40	730.47	22	2,640
9020	Investigators School				
JS 9025	Practical Investigative Case				
9025	Practical Investigative Case				
9026	Homicide Symposium	24,264.84	295.91	82	3,608
JS 9030	Questioned Document Investigation	11,153.31	484.93	23	874
9030	Questioned Document Investigation				
JS 9050	Basic Auto Theft Investigators Workshop				
9050	Basic Auto Theft Investigators Workshop				
9055	Advanced Auto Theft Investigators Workshop				
JS 9065	Basic Vehicle Theft Investigations	3,941.00	303.15	13	520
9065	Basic Vehicle Theft Investigations				
JS 9100	Rape Investigation	3,711.90	168.72	22	352
9100	Rape Investigation	135.53	135.53	1	16
JS 9115	Robbery Investigation	3,985.19	249.07	16	320
9115	Robbery Investigation	168.57	168.57	1	20
JS 9125	Sex Crime Investigation				
9125	Sex Crime Investigation				
JS 9126	Sexual Assault Investigation				
9126	Sexual Assault Investigation				
9150	Advanced Investigation for Coroners Cases	1,252.19	208.70	6	480
9155	Coroners Course				

Commission on Peace Officer Standards and Training

Administration Division - Claims Audit Section

REIMBURSEMENT BY COURSE CATEGORY

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COURSE CODE	COURSE	AMOUNT OF REIMBURSEMENT	AVERAGE COST PER TRAINEE	NUMBER OF TRAINEES	HOURS OF TRAINING
JS 9160	Homicide Institute	26,284.61	625.82	42	3,280
9160	Homicide Institute				
JS 9161	Homicide Investigation Cases	19,447.95	572.00	34	2,044
9161	Homicide Investigation Cases				
9165	Advanced Homicide Investigation	543.86	108.77	5	120
JS 9210	Basic Narcotic and Dangerous Drugs	24,405.87	567.58	43	3,435
9210	Basic Narcotic and Dangerous Drugs				
9220	Heroin Influence Course	1,291.76	37.70	34	680
JS 9225	Narcotics Investigation	63,420.62	834.48	76	6,080
9225	Narcotics Investigation	832.51	416.26	2	160
9230	Narcotics Investigation, Advanced	52.50	52.50	1	40
JS 9235	Narcotics Investigation, Basic				
9235	Narcotics Investigation, Basic				
JS 9250	Vice School	5,306.82	265.34	20	800
9250	Vice School				
JS 9251	Vice Investigation	10,396.83	519.84	20	800
9251	Vice Investigation	218.00	218.00	1	40
JS 9255	Air & Marine Narcotics Smuggling				
9255	Air & Marine Narcotics Smuggling				
10000	CRIMINALISTICS				
10005	Fingerprint School	264.38	88.13	3	120
10006	Latent Fingerprint School	1,855.75	123.72	15	600
10010	Advanced Latent Fingerprint School				
10025	Advanced Blood Stain Analysis				
10050	Controlled Substance Analysis				
10075	Firearms and Toolmark Identification				
10106	Forensic Microscopy				
10107	Forensic Alcohol Supervisor				
11000	INTELLIGENCE OPERATIONS				
11005	Chief Executive Criminal Intelligence Seminar	75.00	37.50	2	32
11010	Criminal Intelligence Commanders Course	876.72	175.34	5	180
11020	Criminal Intelligence Data Analyst	4,745.02	395.42	12	960
11030	Criminal Intelligence Data Collector	7,342.15	367.11	20	1,600
11040	Organized Crime Informant Development & Maintenance	5,427.44	226.14	24	960
11050	Specialized Surveillance Equipment	10,085.23	193.95	52	2,056
12000	JUVENILE				
12005	Delinquency Control Institute	12,777.60	1,161.60	11	3,520
12010	Juvenile Justice Update				
JS 12020	Juvenile Law Enforcement Officer's Training Course	20,860.97	508.80	41	1,784
12020	Juvenile Law Enforcement Officer's Training Course	295.54	295.54	1	40

Commission on Peace Officer Standards and Training

Administration Division - Claims Audit Section

REIMBURSEMENT BY COURSE CATEGORY

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COURSE CODE	COURSE	AMOUNT OF REIMBURSEMENT	AVERAGE COST PER TRAINEE	NUMBER OF TRAINEES	HOURS OF TRAINING
JS 12025	Juvenile Officers	3,783.99	252.27	15	600
12025	Juvenile Officers				
JS 12040	Juvenile Procedures School	13,193.35	141.86	93	2,232
12040	Juvenile Procedures School				
13000	PERSONNEL				
13005	Background Investigation	403.06	80.61	5	105
13025	Internal Affairs	9,796.97	171.88	57	1,364
JS 13030	Internal Affairs Investigation Procedures	6,525.28	343.44	19	456
13030	Internal Affairs Investigation Procedures	311.67	311.67	1	24
14000	COMMUNICATIONS				
JS 14005	Complaint/Dispatcher	4,888.80	376.06	13	728
14005	Complaint/Dispatcher	274.16	274.16	1	56
14015	Criminal Justice Information Systems	4,452.61	202.39	22	528
15000	TRAINING				
15005	Behavioral Objectives Course	1,680.80	80.04	21	336
15006	Writing POST Performance Objectives	1,204.89	150.61	8	128
15010	Criminal Justice Role Training Program				
15015	Chemical Agents Instructors Course	618.45	103.08	6	144
15020	Firearms Instructors Course	6,021.74	143.37	42	1,896
15025	Instructor Development Course				
JS 15045	Police Training Managers Course	14,789.80	1,232.48	12	960
15045	Police Training Managers Course				
15050	POST Special Seminar	11,809.40	54.67	216	2,145
15055	Techniques of Teaching Criminal Justice Role Training				
15065	Upgrading Instructors Training				
15070	Managing Performance Objectives Training				
15075	Managing the Volunteer in Law Enforcement	2,803.13	311.46	9	297
16000	COMMUNITY POLICE RELATIONS				
16005	Community Police Relations	106.00	53.00	2	90
17000	JAIL				
17005	Jail Management	10,894.40	351.43	31	1,340
JS 17010	Jail Operations	31,960.82	243.98	131	5,228
17010	Jail Operations	1,110.50	123.39	9	360
JS 17015	Jail Operations and Property Procedures	5,016.00	250.80	20	1,600
17015	Jail Operations and Property Procedures				
17020	Special Problems in Jail Custody				
18000	LANGUAGE				
18005	Total Immersion Spanish	11,896.29	566.49	21	2,520
18010	Spanish for Peace Officers				
19000	MISCELLANEOUS				

REIMBURSEMENT BY COURSE CATEGORY

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[illegible]

Memorandum

: William R. Garlington
Executive Director

Date : January 12, 1978


From : Director, Administration Division
Commission on Peace Officer Standards and Training

Subject: AUDIT REPORT - DEPARTMENT OF JUSTICE HOMICIDE
INVESTIGATION COURSE

On January 10, 1978, an audit was made of the Department of Justice's Advanced Training Center billing for the Homicide Investigation Course. Dates of presentation were October 9, 1977 through October 14, 1977. Costs are believed to be reasonable and were in accordance with Commission guidelines and/or State Board of Control rules.

	<u>Dept. of Justice Cost</u>	<u>Amount Billed to POST</u>	<u>Costs Not Reimbursed</u>
Instruction/Preparation	\$1,844.00	\$1,375.00	\$ 469.00
Pre-presentation coordination	150.00	150.00	--
Clerical	240.00	240.00	--
Instructor - Travel	433.00	433.00	--
Per Diem	<u>214.00</u>	<u>214.00</u>	<u>--</u>
	\$2,881.00	\$2,412.00	\$ 469.00
Indirect Costs @ 15%	<u>432.00</u>	<u>362.00</u>	<u>70.00</u>
TOTALS	<u>\$3,313.00</u>	<u>\$2,774.00</u>	<u>\$ 539.00</u>

Cost per instructional hour			
1200 hours (48 hrs. x 25 students)	\$2.76	\$2.31	\$.45


OTTO H. SALTENBERGER, Director
Administration Division

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Course Certification/Modification/Decertification Report		Meeting Date January 26-27, 1978
Division Standards and Training	Division Director Approval <i>Bradley W. Koch</i>	Researched By Bradley W. Koch
Executive Director Approval <i>W.R. Burlington</i>	Date of Approval 1-4-78	Date of Report December 21, 1977
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

The following courses have been certified, modified or decertified since the October 13-14, 1977, Commission Meeting:

CERTIFIED

Course Title	Presenter	Course Category	Reimbursement Plan	Fiscal Impact
Child Abuse: Intervention, Referral and Investigation	USC, Delinquency Technical Control Inst.		III	\$57,960

Summary:

The Child Abuse Course is designed to meet the needs of the specialist, patrol officer, supervisors, and juvenile function managers. One similar course was presented in October 1977 in San Diego County with overwhelming success. The Delinquency Control Institute is recognized as the foremost training institution in juvenile matters in the country. It is the intent to present the courses in Los Angeles, San Francisco, San Diego, Sacramento, Orange, San Luis Obispo, Fresno and Redding, in that order. They will be presented at six-week intervals starting approximately April 10, 1978. Outstanding qualified experts in the child abuse field from the medical, social and police professions have been obtained as instructors.

Course Title	Presenter	Course Category	Reimbursement Plan	Fiscal Impact
Sexual Assault Investigation	CSU, San Jose	Technical	I	\$12,240

Summary:

The proposed Sexual Assault Investigation Course is designed under POST performance objective standards and will provide experienced law enforcement personnel with specific and updated investigator and legal knowledge. Sex crime investigation training needs rank as priority I and rate fifth in Zone V and sixth statewide. The university is able to provide a 35-hour course for an estimated average tuition of \$136. The financial impact is well within the range of other specific investigation courses.

Utilize reverse side if needed

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Physical Evidence Presentation	Bahn-Fair Institute	Technical	III	\$37,530

Summary:

This course has been certified since 1975 and has had continuous presentations. However, the files indicate the course was certified for Fiscal Year 1975-76. This request is initiated by staff to clarify the certification through June 1978, when a completely new certification will be developed.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Crime Scene Investigation	Bahn-Fair Institute	Technical	III	\$39,636

Summary:

This course has been certified since 1975 and has had continuous presentations. However, the files indicate the course was certified for Fiscal Year 1975-76. This request is initiated by staff to clarify the certification through June 1978, when a completely new certification will be developed.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Team Building Workshop	Justice Research Associates	Technical	III	\$21,205.20

Summary:

The Team Building Workshops will be conducted under the newly adopted guidelines. The concept of "team building" has been frequently cited as an effective training method for improving the capabilities of an organization's human resources. Each Team Building Workshop will be individually structured to meet these needs of each department. It is anticipated that the above will be served by certification of this course at a cost per trainee of \$138. Training Needs Assessment document shows the Team Building Workshop as a ranking of 8 in the Management category.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Traffic Accident Investigation	Modesto Regional Criminal Justice Training Center	Technical	II	\$41,020

Summary:

This course is designed to fulfill the requirements of CVC Section 40600. The course is directed to officers responsible for traffic accident investigation in their respective departments. Completion of this course will qualify an officer to write a notice of violation for a nonviewed, nonfelony offense which is a factor in a traffic accident.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Arrest and Firearms (P.C. 832)	Mount San Jacinto College	Special	IV	\$2,250

Summary:

This course was originally certified on 12-14-72. It was decertified by the Commission on 10-12-75. Although inactivity was given as the reason for decertification, the course was presented six times during the certification period to a total of 95 trainees. Six local law enforcement agencies support the request for recertification. They estimate there is need to train approximately 25-30 trainees annually in the area.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Team Building Workshop	Ross-Lewis & Associates	Technical	III	\$39,960

Summary:

Under the newly adopted guidelines for Team Building Workshops, the program will be presented in three phases: 1) Pre-evaluation; 2) workshop; 3) Post-evaluation to determine the action plan. The Team Building Workshop is designed to improve an organization's ability to identify, assess and solve problems and participate in the organizational renewal process. Each workshop will be specifically structured to meet the existing needs of the department. This will entail considerable pre-planning for the coordinator. It is anticipated this will be served by certification of the course, and the cost per trainee will be \$222. The Training Needs Assessment ranked this course eighth in priority under Management Training.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Second National Homicide Symposium	Calif. D.A. Assoc.	Technical	III	\$38,500

Summary:

Homicide investigation has been identified in the training needs assessment survey as a high priority need. The cost of the course is high but the high cost is offset by the quality. The course is only offered once a year and it would be cost effective for personnel who are involved in homicide investigation to attend especially those from the larger police departments and sheriff offices.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Managing the Volunteer in Law Enforcement	CSU, San Jose	Technical	III	\$11,260

Summary:

The purpose of the proposed course is to familiarize new or near new reserve/auxiliary officer directors with the history, concepts of police reserve organizations, management practices, planning, recruitment, selection, evaluation and assignment of criminal justice system volunteers. Training concepts will also be discussed. The potential need for the course has been expressed by numerous law enforcement agencies because of new trends and legislation concerning reserve officers.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Writing POST Performance Objectives	Rossi-Moore Associates	Technical	III	\$15,069

Summary:

The course is designed for academy and institution instructors who teach in POST certified and approved courses. The course will prepare the trainee to design and teach performance objective training.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Hostage Negotiations	Los Angeles Co. Sheriff's Department	Technical	III	\$10,095

Summary:

This course was presented twice in 1977 by the Los Angeles County Sheriff's Department to their own personnel. They have received numerous requests from law enforcement agencies to attend this training. Hostage Negotiation Techniques was listed as Priority One in the Training Needs Assessment Study of Zone IX. At present the Los Angeles County Sheriff's personnel respond to other agencies request for assistance in Hostage Negotiations. All requests cannot be met. There is a definite need for training of other agency personnel.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Advanced Crime Prevention Inst. Environmental Design	Loss Prevention, Technical Inc.		III	\$21,930

Summary:

The Advanced Crime Prevention Course dealing in Environmental Design is designed to assist those officers who have primary crime prevention duties and have the responsibility of reviewing and impacting all plans submitted for new or additional construction within their jurisdiction. The proposed course is a 40-hour intensive format course.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Legislative Update Seminar	CPOA (Contract)	Technical	IV	\$21,320

Summary:

CPOA will present this seminar at 16 locations throughout the state. Cost per presentation to be covered by contract. Each presentation will cost \$770. Per diem and travel to be minimal.

MODIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Advanced Traffic Accident Investigation	Los Angeles Co. Sheriff's Department	Technical	IV	\$15,176

Summary:

Consistent with other Traffic Accident Investigation Courses, this course should be changed to a Plan II. The course is primarily directed to officers responsible for traffic accident investigation in their respective departments.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Basic Hostage Negotiation	CSU, San Jose	Technical	III	\$13,226.04

Summary:

The University was originally certified to present three courses. Demand for the Basic Hostage Negotiation Course from the field has produced an evident need to certify additional course presentations. The course has received excellent evaluations concerning the course content and quality of presentations.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Advanced Hostage Negotiations	CSU, San Jose	Technical	III	\$11,580

Summary:

California State University, San Jose, was originally certified in January 1977 to present their Advanced Hostage Negotiations Course. Demand from the field has indicated a need to certify one additional course for 1977 and three for 1978. Previous presentations have received excellent evaluations concerning content and quality of the course.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Questioned Document Investigation	CSU, San Jose	Technical	I	\$17,235

Summary:

The University was certified on March 10, 1977 to provide two approved Questioned Document Investigation Courses. Present demand for the course indicates a need for additional approved presentations. Previous presentations have received excellent evaluations from participants concerning the course content and the instructors' expertise.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Cost Analysis and Budgeting	Academy of Justice, Riverside	Technical	III	\$ 6,900

Summary:

"Cost Analysis and Budgeting" was originally and is presently certified under reimbursement Plan IV. Costs were covered through ADA monies received by Riverside City College and through grant funds received from OCJP. Riverside City College is no longer interested in offering the course and grant funds have been exhausted, therefore, the Academy of Justice proposes to cover instructor and administrative costs through tuition under Plan III. The course certification is transferred to the Academy of Justice, Riverside from the Riverside City College.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Team Building Workshop	USC, Center for Training and Development	Technical	III	\$31,807.80

Summary:

The Team Building Workshops will be conducted under the newly adopted guidelines. Each Team Building Workshop will be specifically designed to meet the needs of the individual department. Tuition cost will be changed from \$115. to \$141. to reflect the additional cost of the two added days. The first day for needs assessment and the fifth day for evaluation.

DECERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Supervisory Course	Pasadena City College	Supervisory	II	

Summary:

This course was automatically approved for recertification October 23, 1975. There have been no course offerings since April 15-26, 1974. The previous users of the course have since found other courses to attend. There are presently no requests to present this supervisory course.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Crime & Crisis in the Schools	CSTI	Technical	IV	

Summary:

Decertified by Commission action October 13, 1977. See Commission Meeting minutes.

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
Behavioral Objectives	Cal Poly, Pomona (Rossi-Moore Associates)	Technical	III	

Summary:

This course has been replaced with the Rossi-Moore Associates, Writing POST Performance Objectives Course. California Polytechnic University will no longer be affiliated with the Course.

Memorandum

: William R. Garlington
Executive Director

Date : January 5, 1978

via: Bradley W. Koch, Director *BWK*
Standards and Training Division

GA
From : George A. Estrada, Senior Consultant
Commission on Peace Officer Standards and Training
Standards and Training Division

Subject: HOMICIDE INVESTIGATION COURSE, DEPARTMENT OF JUSTICE

The pilot presentation of the POST Certified Homicide Investigation Course was offered at the Advanced Training Center on October 9 through October 14, 1977.

Attached hereto are the Performance Objectives for the Homicide Investigation Course. These objectives were formulated by an Advisory Committee made up of veteran homicide investigators, primarily from the larger law enforcement agencies in the state. During the pilot presentation, it became apparent that minor shifts in time allotted for some of the objectives had to be made. The one major change was made in learning goal 1.3.0 to include a lecture by a Forensic Odontologist on the use of dental data for identification, etc.

The use of the technique of Visual Investigative Analysis in the investigation of homicide cases was added as well as specialized techniques in the collection and use of latent prints and the use of photography.

The changes were based on the critiques furnished by the trainees after each of the blocks of instruction.

The instructor's list attached indicates that local (California Law Enforcement) experts are used to teach in this course.

A review of the POST Course Evaluation Instrument indicates that the students were impressed with the material and the instruction. This course received a (1) one in overall rating which is an outstanding rating.

Three more presentations of this course are planned for the remainder of F.Y. 77-78. At the present time the Advanced Training Center has on file approximately 200+ applications and will only be able to accept 75 trainees in the next three courses.

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title CSTI Staff Audit and Evaluation, Investigation of Violent Crimes		Meeting Date January 26, 1978
Division Standards and Training	Division Director Approval <i>Tracy W. Koch</i>	Researched By Fravel S. Brown <i>FSB</i>
Executive Director Approval <i>W. B. Harrison</i>	Date of Approval 1-4-78	Date of Report December 15, 1977
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact Yes <input type="checkbox"/> (See Analysis per details) No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page ____).

ISSUES

At the October 13-14, 1977 meeting, the Commission directed the staff to audit and evaluate the first presentation of the CSTI's Investigation of Violent Crimes Course with subsequent presentations subject to a favorable evaluation of the first.

ANALYSIS

The first presentation was offered the week of October 30 - November 4, 1977 in the customary 47 hour CSTI format. It was audited by F. S. Brown, the Area 8 Standards and Training consultant. There were 32 students in the class, 23 of them POST-Reimbursable from California law enforcement agencies. Course mechanics (administration, instructional methods and equipment, physical setting, test procedures, etc.), were well within accepted standards.

The first three days were basically lecture with good use made of audio-visuals and supporting hand-out materials. Subject matters covered included: Management of Investigations, Interviews and Interrogations, Analytical Techniques, Crime Scene Graphics, DOJ Forensics, Fingerprinting, Photography, Rape Investigations, Homicide Investigation, Death Investigation, Crime Lab Analysis and Child Abuse. CSTI staff handled 11 hours, contract instructors, 11 hours. A case study of the ".44 Calibre New York Homicides" was presented by Deputy Chief Dowd, the Investigator-in-Charge. All presentations were "acceptable" to excellent with the possible exception of the fingerprint segment. (CSTI has committed itself to changes in the latter).

The fourth day was devoted to a Crime Scene Investigation student exercise conducted by the staff. The exercise was well planned, well executed, and well received. Student participation was serious and cooperative. The morning of the fifth day was devoted to a presentation of the investigation to Los Angeles Deputy District Attorney (and Associate Professor of Law), Burton Katz from a courtroom setting critique. The technique of the formal presentation of the Crime Scene investigation was an unusually successful method of highlighting and resolving the exercise.

RECOMMENDATION

That the remaining three presentations within the period of certification be approved.

Utilize reverse side if needed



*For Commission Office
Prepare resolution etc.
C.A.S.*

OFFICE OF THE
COUNTY ADMINISTRATOR

November 8, 1977

Honorable Edmund G. Brown, Jr.
Governor, State of California
State Capitol
Sacramento, CA 95814

Dear Governor Brown:

This is my resignation from the Commission on Peace Officer Standards and Training.

I have served on this commission for a number of years, with the formal term expiring in September 1976.

Members of the commission and staff are conscientious and continue to seek means of enhancing the services rendered through local law enforcement agencies. Particular recognition should be given to the professional competency of staff, including Executive Director William R. Garlington.

Very truly yours,

A handwritten signature in cursive script, reading "Loren W. Enoch".

LOREN W. ENOCH
COUNTY ADMINISTRATOR

LWE:ih

cc: William J. Anthony, Chairman, P.O.S.T.
and Assistant Sheriff, Los Angeles County
✓ William R. Garlington, Executive Director
P.O.S.T.

11. 14. 77 01 01 AGH

LSOJ NC NOISSNWA00

State of California

Commission on Peace Officer Standards and Training
Special Award

To

Norm M. French

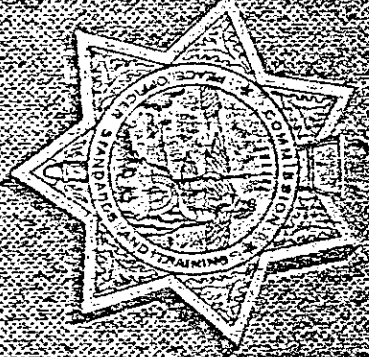
County Administrator, Alameda County

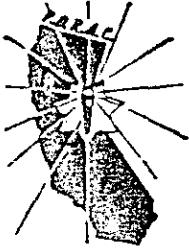
*In appreciation for five years of continuous
outstanding public service to California law
enforcement as a Commissioner of the
Commission on Peace Officer Standards and
Training from 1973 through 1977.*

Executive Director

Chairman

January 26, 1978





Peace Officers Research Association of California

THE OBJECTIVE OF THIS ASSOCIATION IS TO UNITE ALL PERSONS WITHIN ITS JURISDICTION FOR THEIR ECONOMIC, PROFESSIONAL AND SOCIAL ADVANCEMENT. IT SHALL BE THE AIM OF THIS ASSOCIATION TO COLLECT, STUDY, STANDARDIZE, SUMMARIZE AND DISTRIBUTE FACTUAL DATA IN ORDER TO PROMOTE THE PROFESSIONAL QUALIFICATIONS AND STANDING OF PEACE OFFICERS, TO STIMULATE MUTUAL COOPERATION BETWEEN LAW ENFORCEMENT AGENCIES, TO SECURE FOR ALL PEACE OFFICERS ADEQUATE COMPENSATION FOR THEIR PROFESSIONAL DUTIES AND TO IMPROVE CONDITIONS OF EMPLOYMENT

November 11, 1977

STATE OFFICE

SENATOR HOTEL
12th & "L" STREETS
SACRAMENTO, CALIFORNIA 95814
(916) 441-0660

Mr. William Garlington, Executive Director
Commission on POST
7100 Bowling Drive
Sacramento, California 95823

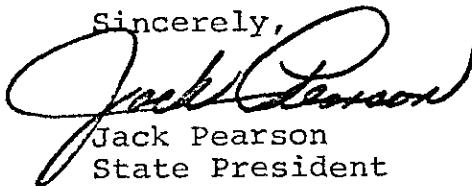
Dear Bill:

As you know, I have just been elected President of the Peace Officers Research Association of California. I fear that my time will be severely curtailed because of this position, and doubt that I can properly carry out my duties on the POST Advisory Committee.

It is with regret that I must resign from the Advisory Committee. However, I am pleased to report that I have nominated John Riordan to replace me and his name has been ratified by my Board of Directors. John has worked diligently for PORAC and law enforcement for many years. He is a past Director and State Legislative Chairman. At the present time, he is a sergeant assigned as training manager with the San Rafael Police Department. I am sure that his dedication and broad experience will be an invaluable asset to the Committee. Please bring John's name to the Commission for approval as the PORAC representative on the Advisory Committee.

Bill, it has been a distinct pleasure to work with you and your staff, and I thank you, Glen, Hal, Georgia and the numerous others for all the assistance and genuine cooperation I have received. I look forward to a continued, close relationship between our organizations.

Sincerely,


Jack Pearson
State President

JP:dh

cc: GLEN FINE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 09-01-2001 BY SP-10

State of California

Commission on Peace Officer Standards and Training

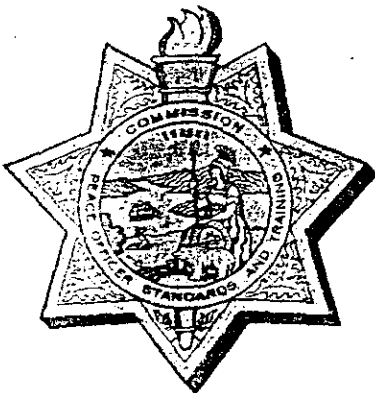
Resolution

WHEREAS JOHN R. PEARSON has served as a member of the Advisory Committee of the Commission on Peace Officer Standards and Training since 1976, and

WHEREAS JOHN R. PEARSON has provided effective representation and leadership for California peace officers, and

WHEREAS JOHN R. PEARSON has given much of his time and energy in service to the Commission on Peace Officer Standards and Training and to California law enforcement: Therefore be it

RESOLVED, That the members of the Commission on Peace Officer Standards and Training do hereby commend JOHN R. PEARSON for his dedicated service and contributions to California law enforcement.



January 26, 1978

Date

Chairman

Executive Director

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P.O. BOX 898

SACRAMENTO, CALIFORNIA 95804

(916) 445-7473



December 20, 1977

File No.: 1.A2262.A2262

William R. Garlington
Executive Director
Peace Officer Standards and
Training
7100 Bowling Drive, Suite 250
Sacramento, CA 95823

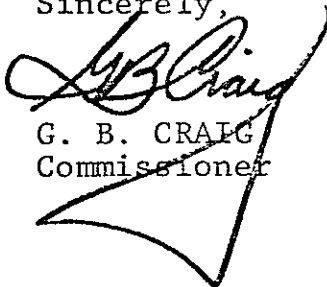
Dear Director Garlington:

Effective January 1, 1978, Deputy Chief Larry A. Watkins will become commander of Training Division to replace Assistant Chief W. A. Fradenburg who is being assigned to Valley Division.

We request that you appoint Chief Watkins as a member of the POST Advisory Committee to complete Chief Fradenburg's unexpired term.

Please be assured of our continued interest and cooperation in law enforcement issues.

Sincerely,



G. B. CRAIG
Commissioner

DEC 20 3 42 PM '77
COMMUNICATIONS SECTION

State of California

Commission on Peace Officer Standards and Training

Resolution

WHEREAS WILLIAM A. FRADENBURG has served as a member of the Advisory Committee of the Commission on Peace Officer Standards and Training since 1975, and

WHEREAS WILLIAM A. FRADENBURG has served as Vice-Chairman of the Advisory Committee during 1977, and

WHEREAS WILLIAM A. FRADENBURG has given diligent and effective service to the Commission on Peace Officer Standards and Training and to California law enforcement: Therefore be it

RESOLVED, That the members of the Commission on Peace Officer Standards and Training do hereby commend WILLIAM A. FRADENBURG for his dedicated service and contribution to California law enforcement.



January 26, 1978

Date

Chairman

Executive Director



POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO
HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103



ADDRESS ALL COMMUNICATIONS:
CHARLES R. GAIN
CHIEF OF POLICE

December 30, 1977

OFFICE OF THE
CHIEF OF POLICE

IN REPLY, PLEASE REFER TO
OUR FILE: P-791/SW

William Garlington, Executive Director
Commission on Peace Officer
Standards and Training
7100 Bowling Drive, Suite 250
Sacramento, CA. 95823

Dear Mr. Garlington:

The San Francisco Police Academy has established content validation of its recruit curriculum. An initial research project indicated that the recruits average test scores have a positive correlation to their "on the street" job performance.

A replication study is currently underway to substantiate the predictive validity of these percentile scores. These findings are important because they provide empirical evidence that the San Francisco Police Department is justified in terminating candidates who fail academically. It should be remembered that San Francisco has been embroiled in Federal litigation on such matters since April, 1973. Moreover, no recruit has been fired in San Francisco on academic grounds since before 1970. Police Departments cannot now assume that the "common sense" approach or face validity of academy terminations will go unchallenged.

The San Francisco study involved 76 graduates of the 128th Police Recruit Class. These recruits were exposed to an intensive Field Training and Evaluation Program for 14 weeks. Based upon the San Jose model, this program included comparable exposure and standardized performance evaluations. Individual characteristics of sex, race, and academic achievement were controlled so that there was equal representation in all groups.

The recruits were rotated through the three basic police watches and experienced a minimum of three Field Training Officers. Broken into four distinct time blocks, the program provided training which progressed from the simple to the complex police skills. Concurrently, recruits assumed greater amounts of the work load in each successive time block and were expected to handle everything at an acceptable performance level at the end of the program.

Each recruit was evaluated daily on 30 performance criteria. Using a 1-7 scale, with 4 being the acceptable level of performance, they were scored on observed actions only. These daily observation reports were transferred to computer cards. These cards were then entered into the Statistical Program for Social Science (SPSS) at Stanford University. A Factor Analysis provided the statistical grouping of the 30 evaluation categories into four major clusters.

These statistically generated clusters were:

- I. Appearance, Attitude and Relationships
- II. Knowledge, Report Writing and Radio Usage
- III. Driving Ability and Field Performance
- IV. Control of Conflict/Physical Skill

All the scores obtained during the program were assigned to the appropriate cluster and averaged together. This gave each recruit one score for each major area. All scores for all categories were also averaged together to give each recruit an overall performance score.

A statistical comparison was then done between the recruit's academy scores and their performance evaluation (Pearson Product Correlation Coefficients). The resulting correlations were deemed significant if they were .30 or better. This level was obtained for every category except Control of Conflict/Physical Skill. The probability that these results were obtained by chance was one out of a hundred ($P \leq .01$). Once again, the exception is Control of Conflict/Physical Skill.

Correlations Between Performance
And Police Academy Scores

	Appearance Attitude Relation- ship	Knowledge Reports Radio Usage	Driving Field- Perfor- mance	Control of Conflict/ Physical Skill	Overall Perfor- mance
Police Acad- emy Percent- age Scores	.29*	.56*	.38*	.19	.47*
	P* \leq .01				

To double check the results, correlations were sought between academy scores and individual evaluation categories. The results confirmed the previous analysis and clarified the relationship of the categories included in the groupings. In five of the nine categories the correlations exceeded the .30 level and the probability of the results being obtained by chance were equal to or less than 3 out of 1,000 ($P \leq .003$). The remaining four categories have lower correlations and higher probabilities that chance was a factor. These results are encouraging, too, because one would not expect a connection between paper and pencil tests and these evaluation categories. Once again, all categories were collapsed into one average score for an over all performance score. Here the correlation is higher than the previous analysis.

CORRELATIONS OF POLICE ACADEMY AND F.T.O. TEST SCORES WITH

PERFORMANCE DATA OF THE 128th POLICE RECRUIT GROUP

(N=76, Pearson Product Moment Coefficient over Probability)

	APPEARANCE	ATTITUDE	KNOWLEDGE	DRIVING	REPORTS
ACADEMY	.20	.31	.50	.27	.58
PERCENT	P= .04	P= .003	P= .001	P= .01	P= .001
SCORE					
	FIELD PERFORMANCE	CONTROL OF CONFLICT/ PHYSICAL SKILL	RADIO USAGE	RELATIONSHIP	OVERALL PERFORMANCE SCORE
ACADEMY	.41	.20	.54	.27	.57
PERCENT	P= .001	P= .04	P= .001	P= .01	P= .001
SCORE					

A full description of our research methodology is available, if desired.

The San Francisco Police Academy has converted to POST Performance Objectives in over 85% of its curriculum. The initial study tends to support the validity of this method of training. It is anticipated that additional research which is being conducted will substantiate this premise.


William Garlington

-4-

December 30, 1977

We have been convinced that the recruit curriculum we developed, in conjunction with POST and the Performance Objective guidelines, is a valid and job related course of training. It is very gratifying to receive objective statistical evidence to corroborate our position. It is my hope that this information will also benefit POST and the law enforcement training community in California.

Sincerely,


CHARLES R. GAIN
Chief of Police

cc: Honorable Police Commission

SUMMARY EVALUATION REPORT
128TH RECRUIT TRAINING CURRICULUM
SAN FRANCISCO POLICE DEPARTMENT
CHARLES R. GAIN - CHIEF OF POLICE

BACKGROUND

This report is an analysis of the 128th Recruit Training Curriculum, conducted by the San Francisco Police Department Training Academy from March 14, 1977 to July 1, 1977. Captain James E. Shannon and Lieutenant Richard Klapp supervised the sixteen-week course, which was implemented under the immediate administrative direction of Sergeant Gerald Doane and Officers Dirk Beijin, Don Carlson, Barbara Jackson, and Larry Wong. A complete description of the curriculum is found in Appendix A of this report.

Eighty recruit officers began the class; seventy-seven graduated.*

EVALUATION METHODOLOGY

This report is the result of two independent analyses of course content and instructor presentation of the classes comprising the 128th Recruit Training Curriculum.

At the end of every week of instruction, each student rated each class and instructor on a five-point scale (1 = Excellent; 2 = Good; 3 = Fair; 4 = Poor; 5 = Very Poor), based on the following five criteria:

1. Instructor's general presentation of the material
2. Instructor's knowledge of subject matter
3. Course content
4. Understandability of the material
5. Importance of the subject matter

* One student was terminated; one resigned; one was transferred to the Modesto Police Department.

At the conclusion of the sixteen-week curriculum, students completed an open-ended evaluation commenting on the relevancy of each course. Additionally, major segments of the course were audio taped and rated by an independent evaluator, employing the same scales and criteria as those utilized by the students.

There was an inter-rater reliability of 90% or above between the mean score of students' results and the ratings of the independent evaluator on all subjects which were double scored.

OVERVIEW OF FINDINGS

Curriculum

The curriculum in general was well received. Ninety per cent (90%) of the courses received a score of 1 (Excellent) or 2 (Good) on all criteria by seventy-five per cent (75%) or more of the students.

Appendix B of this report tabulates by number and per cent the student responses to each of the courses, recorded weekly throughout training. From these tabulations, it can be noted that the courses rated the highest by the students are those involving practical exercises; for example:

Officer Survival - Patrol Procedures
Crisis Intervention Role Playing
Physical Training
Weaponry

Appendix C of this report records the students' comments from the open-ended evaluation of all the classes administered at the conclusion of training. These comments substantiate and expand on the key concept reflected in the numerical ratings: practical exercises are considered by the majority of students to be the most effective training format. Courses teaching practical skills without extended practicum sessions were consistently criticized, with requests for more experiential training. For example, 61 out of 73 respondents to the course on Communications noted, "Need more application on use of the radio." The practical segments - Role Playing, Patrol Response and Weaponry - received over ninety per

cent (90%) positive responses exemplified by comments such as, "Excellent; need more. One hour of practical training is worth 30 hours of classroom lecture for me."

There was a general consensus among the majority of respondents to the courses' strengths and problem areas. For example, more than half the respondents to the Crisis Management course similarly criticized the section on alcoholism as "Useless" and requested more role playing.

However, one section of the curriculum, Police - Community Relations, elicited highly discrepant responses. Thirty respondents commented definitively and positively on the course - i.e., "Essential", "Important", "Excellent", "Good", "Enlightening"; while twenty-eight respondents commented equally definitively, although negatively, on the course - i.e., "Waste", "Learned very little", "Lousy", "Very bad", "One-sided".

Only one fifth of the students responded with mixed comments or suggestions (e.g., "OK, less time"; several of these students differentiated among the units, commenting that "Chinatown and Gay Day were excellent, the rest was a waste of time.")

This differentiation of units within the Police - Community Relations Living Curriculum was corroborated by the weekly numerical tabulations of student responses. The days spent in the Gay and Asian communities received ratings of #1 or #2 by the majority of students (2/3) in course presentation and content; while the days spent in the Black and Latin communities received ratings of #1 or #2 by less than 1/3 of the students in course presentation and course content.

In summary, then, the majority of courses were very well received. The mean ratings of those courses which included practical exercises were significantly higher than those following a strictly lecture format. Role playing and simulations of actual street events received consistently high ratings.

Instructors

The vast majority of instructors (90%) received ratings of #1 or #2 on all the criteria from at least half the respondents. Seventy-five per cent (75%) received ratings of #1 or #2 on all

criteria from at least 3/4 of the respondents. For all classes, both the numerical tabulations and the students' comments* indicate the importance of a good instructor, particularly in an intensive class of this duration. For example, special plaudits were consistently given to Sergeant Hebel, Instructor for the Criminal Law portion of the curriculum. Particularly in light of the students' inclinations toward practical exercises and away from classroom lectures, the fact that Sergeant Hebel received the highest numerical ratings is indicative of the importance of committed instructors.**

Similarly, in Report Writing, many students noted that the material was "Important but dull", and that Captain Cordes was to be commended for "making it livable".

In reverse, there were several units where respondents designated the course itself as good and/or important but accorded the instructor low ratings.

Although the quality of instruction and rapport with the class can be assumed to color student reactions to content somewhat, scores on all the questions reflected a general ability to separate these issues. The range of scores differed consistently on each of the criteria rated for all the courses, revealing a careful attempt on the part of the trainees to differentiate instructor from course content and to avoid contamination.

CONCLUSIONS AND RECOMMENDATIONS

While most of the curriculum and the instructors were deemed successful by trainee responses and independent evaluation, the overwhelming majority of responses reflect a need for more practical exercises interspersed throughout the curriculum.

* These numerical ratings were again substantiated by written responses at the conclusion of training. Students were asked to opine on the most and least competent instructor. That list of designated instructors appears as Appendix D in this report.

** Fifty-seven students selected Sergeant Hebel as the most competent instructor on the open-ended questionnaire. The next most competent instructor was designated by only thirty-seven students.

Based on Consultant's observations, compilation of student evaluations, and independent review of course delivery, the following recommendations are presented:

1. It is imperative that the class size be no greater than fifty (50), allowing for two simultaneous classes of twenty-five (25) students per class. An optimum of eighteen and a maximum of twenty-five students per recruit training class is suggested for all but emergency hiring conditions. Police work is a profession dependent upon practical application of knowledge and skills; and discussions, practical exercises, interactions, and questions typical of a seminar-type teaching environment are critical to training. They cannot be effectively implemented with a class consisting of more than twenty-five students. Two simultaneous classes represent the maximum workable number amenable to the achievement of curriculum goals. The necessity for standardized training requires that the same instructor duplicate the exact training for all students. The hardship imposed on instructors who taught in the 128th Recruit Class, where they were asked to teach the same material four times to four separate groups of twenty students, affected the quality of instruction as well as the availability of competent instructors. Additionally, the cost factor for scheduling practical exercises, which must be accomplished in small groups, becomes prohibitive with a group of more than fifty students.

2. It is recommended that the curriculum become performance-based, with the bulk of instruction being practical in nature. This can be most effectively designed as a cumulative and progressive process in three phases:

a. Phase One

The first section of the curriculum will be comprised of a core of classroom subjects. This core curriculum will include only the most basic components of academic subject matter, and will be presented over a period of six weeks.

The goal of the core curriculum is to provide the recruit with a broad and general background-knowledge of all subjects relevant to police work.

b. Phase Two

The second section of the curriculum, specific job

functions, will explore the subject matter in greater depth, with each unit of classroom instruction to be followed by a practical exercise. This second phase will divide the specific job functions into crimes against persons, crimes against property, and juvenile crimes.

The goal of the specific job training is to teach the theory and procedure of each particular function within the department (e.g., narcotics investigation, homicide investigation), and to allow each recruit to apply in simulated practice sessions the skills necessary for every function.

c. Phase Three

The third section of the curriculum, the field problems, will be completely practical and will integrate the major components of all courses taught to date. Beginning October, two students at a time will accompany a Field Training Officer as ride-alongs. Students will initially familiarize themselves with station procedures, then proceed to ride with the F.T.O. During that ride-along, students will participate in a simulated field problem during which they will function as the patrol officers on duty. The simulated problem will be called in on the radio; trainees will be expected to interpret the codes, handle the field problem, including the interviewing of witnesses and victims and the apprehension of the suspects, and write the incident report for the problem. Following this, each trainee will work with a third-year law student to prepare the testimony for the court hearing on each field problem. There will be a moot court, with Judge and jury, held in the courtrooms at the Hall of Justice for each field problem.

The goal of the field problems is to provide each trainee the opportunity to incorporate all prior training in the handling of the field problem, writing the report, and testifying about the case in court.

3. It is recommended that specific units of instruction be altered in accordance with the student evaluation results.

All units of instruction receiving less than half (50%)

positive student ratings (#1, #2) on criteria of content and importance should be dropped from the curriculum or sufficiently altered to warrant inclusion.

4. It is recommended that those instructors receiving less than 33% (1/3) of positive student responses (#1, #2) be terminated from instructing at the Academy.

It is further recommended that those instructors receiving less than 67% positive student responses (#1, #2) be carefully reviewed and individually interviewed regarding the problems inherent in their instruction. Those instructors whose problems the Academy staff determines to be correctible can be assisted to develop new course outlines. The others should be terminated from instructing at the Academy. A list of instructors falling below these two points will be forwarded by the Consultant to Captain Shannon and Lieutenant Klapp for the Academy's action.

5. It is recommended that the following be adopted as Recruit School Performance Standards:

- a. Every recruit officer must, at all times, conduct him/herself in conformity with the written rules of the San Francisco Police Department. Specific areas of professional conduct which will receive constant attention and evaluation are delineated in the Abridged Edition of the Rules and Procedures of the San Francisco Police Department, and in the Section labelled Recruit Training Rules, Page 25 of the Recruit Training Manual.
- b. Every recruit officer shall be required to maintain an overall academic grade of at least 70%.* This overall rating shall be determined as follows:

Test I	Core Curriculum	15%
Test II	Crimes Against Persons	15%
Test III	Crimes Against Property	15%
Test IV	Traffic/Juvenile	15%
Test V	Report Writing	15%
	Total Quiz Score**	10%
	Final Exam	15%
		<u>100%</u>

* The first score achieved on each test will be the score used to determine the overall rating.

** Quizzes will be administered weekly. All quizzes will be equally weighted, with the option of dropping one quiz, to determine the total quiz score.

- c. Every recruit officer shall be required to achieve a score of 70% as the minimum acceptable standard in each subject area delineated in 5b (Tests I - V and the Final Exam). If the recruit scores below 70% on any one of Tests I through V, s/he will be offered remedial counseling and will be permitted to take a different test on the same material one week later. No retests are permitted in the Final Exam.
- d. Every recruit officer shall be required to demonstrate satisfactory proficiency in the following areas:
 - 1. Weapons

The recruit shall be required to score a minimum of forty hits on the target out of 66 shots fired with the service revolver.
 - 2. Driving Proficiency

The recruit shall be required to meet the Performance Objectives in this area as standardized and delineated by P.O.S.T.
 - 3. Physical Conditioning & Defensive Critical Skills

The recruit shall be required to meet the Performance Objectives in this area as standardized and delineated by P.O.S.T.
 - 4. First Aid - CPR

The recruit shall be required to meet the standards prescribed by Section 217 of the California Health and Safety Code.
- e. A recruit officer shall be recommended for termination by the Commanding Officer of Personnel & Training if:
 - 1. The officer fails to conform with the written rules of the San Francisco Police Department as defined in the Recruit Training Manual and/or the Abridged Edition of the Rules & Procedures of the San Francisco Police Department.

2. The officer fails to achieve a grade of 70% in each of the subject areas as defined in Section 5b herein.
3. The officer fails to achieve an overall grade of 70% as defined in Section 5b herein.
4. The officer fails to demonstrate satisfactory proficiency in the subject areas identified in 5d herein.

It is recommended that both the Consultant and the Academy staff review all criteria for acceptable standards to remain in the Academy with all the recruits so that no ambiguities remain.

Standards for scoring all tests and proficiency skills should be clearly determined by the Consultant and the Department's Evaluation Officer, Officer Don Carlson, and made known to recruits prior to the administration of the test.

CURRICULUM

<u>SUBJECT</u>	<u>COURSE HOURS</u>	<u>TOTAL HOURS</u>
<u>PROFESSIONAL ORIENTATION</u>		38
Welcome Address (Chief Gain)	1	
Program Orientation	2	
Administrative Issues	6	
History & Principles of Law Enforcement	2	
Ethics & Professionalism	2	
Role Expectations & Job Stress	1	
Career Influences & Development	2	
Organization of the Department (Including Building Tour)	4	
Internal Affairs	2	
Officer's Bill of Rights	2	
Department Associations & Organizations	3	
Jurisdiction of Allied Agencies (Municipal, County, State & Federal)	3	
Accounting Section	1	
Introduction to FTO Program	1	
Testing	6	
<u>CRIMINAL JUSTICE SYSTEM</u>		17
System Overview: Goals & Components	2	
Court System	2	
Corrections System & Jail Tour	3	
Probation & Parole	1	
Complaint & Warrant Process	2	
Misdemeanor Citation Policies	2	
Courtroom Demeanor (Moot Trials)	5	
<u>POLICE - COMMUNITY RELATIONS</u>		56
Coping With Cultural Differences	2	
Discretionary Decision-Making	4	
Overview of San Francisco	1	

POLICE - COMMUNITY RELATIONS (Continued)

COURSE
HOURS

TOTAL
HOURS

15

San Francisco Subcultures

- a. Black
- b. Blue collar workers
- c. Chinese
- d. Filipino
- e. Gay (Men & women)
- f. Japanese
- g. Native Americans
- h. Police
- i. Radical Political
- j. Spanish surname
- k. White collar workers

Living Curriculum: Field Experience in Different
San Francisco Lifestyles 24
Community Relations Unit 3
News Media Relations 2
Community Crime Prevention 3
Affirmative Action 2

46

LAW

Criminal Law (California Penal Code) 24
Laws of Arrest 6
Search & Seizure 12
Municipal Codes 1
Alcoholic Beverage Control Code 2
Animal Control 1

10

LAWS of EVIDENCE

18

JUVENILE PROCEDURES

Juvenile Law 6
Juvenile Unit Procedures 3
YGC Tour & Booking Procedures 3
Juvenile Diversion 2
Child Abuse 2
School Resource Officer 2

<u>SUBJECT</u>	<u>COURSE HOURS</u>	<u>TOTAL HOURS</u>
<u>COMMUNICATIONS</u>		50
Telecommunications: Systems Overview	2	
Radio Room Orientation	2	
Voice Radio Procedures	2	
Equipment Operation	2	
Practicum in Equipment Operation	12	
Report Writing	30	
<u>VEHICLE OPERATIONS</u>		24
<u>FORCE & WEAPONRY</u>		66
Effects & Liabilities of Force	2	
Firearms: Safety, Care & Cleaning	8	
Range: Stance, Posture, Sighting & Aiming, Practice Firing	40	
Special Weapons	8	
Chemical Agents	8	
<u>PATROL PROCEDURES</u>		54
Field Notetaking & Interviewing	6	
Patrol Observation	6	
Building & Area Searches	4	
Crowd Control Techniques	2	
Station Procedures	6	
Intoxication Cases	2	
Labor-Management Disputes	2	
Misdemeanor Citations Procedure	2	
Preliminary Investigations	3	
Tactics for Crimes in Progress	4	
Vehicle Pullovers & Walking Stops	4	
Special Patrol Unit Operations	1	
Formations for Crowd Control	12	
<u>CRISIS IDENTIFICATION & CONFLICT MANAGEMENT</u>		44
Officer Safety in Family Disputes	8	
Calming Citizens in Crisis	2	
Crisis Interviewing	2	
Conflict Resolution (Defusion & Mediation)	4	

<u>SUBJECT</u>	<u>COURSE HOURS</u>	<u>TOTAL HOURS</u>
<u>CRISIS IDENTIFICATION & CONFLICT MANAGEMENT (Cont'd.)</u>		44
Victims in Crisis	4	
a. Battered Children		
b. Battered wives		
c. Elderly		
d. Victims of Sexual Assault		
Community Resources Referral Skills & Notebook Development	1	
Civil & Legal Issues	5	
a. Common-law Marriage		
b. Consumer Complaints		
c. Co-tenants		
d. Custody Disputes		
e. Landlord-Tenant Disputes		
f. Repossessions		
Management of Grief	3	
a. Death Notifications		
b. Dealing with relatives and witnesses		
c. Sudden infant death		
Mental Health	3	
Mental illness and 5150 bookings		
Alcoholism		
Problems of Handicapped Citizens	4	
Role Playing of Crisis Management Skills	8	
<u>TRAFFIC</u>		30
Traffic Law	10	
Traffic Citations: Mechanics & Psychology	3	
Drunk Drivers	6	
Traffic Accident Investigation	10	
Directing Traffic	1	
<u>CRIMINAL INVESTIGATION</u>		36
Investigative Techniques	10	
Investigative Unit Orientation	26	
a. General works		
b. Sex crimes		
c. Burglary		
d. Robbery		
e. Fraud		

<u>SUBJECT</u>	<u>COURSE HOURS</u>	<u>TOTAL HOURS</u>
<u>CRIMINAL INVESTIGATION (Continued)</u>		36
Investigative Unit Orientation (Cont'd.)		
f. Intelligence		
g. Vice Crimes		
h. Auto		
i. Homicide		
j. Narcotics		
k. Missing Persons		
l. Permits		
m. Pawnshop		
<u>FIRST AID & CARDIO-PULMONARY RESUSCITATION</u>		12
<u>PHYSICAL TRAINING & DEFENSIVE MEASURES</u>		60
<u>CRITICAL INCIDENT & PATROL RESPONSE SIMULATIONS</u>		48
(All role playing with Video Tape Feedback)		
<u>RECRUIT DEVELOPMENT</u>		12
<u>EXAMINATIONS</u>		15
<u>GRADUATION</u>		<u>4</u>
TOTAL HOURS		640

AGENDA ITEM SUMMARY SHEET

Agenda Item Title EVALUATION OF CPOA LEGISLATIVE UPDATE SEMINARS		Meeting Date January 26, 1978
Division Executive	Division Director Approval	Researched By Harold L. Snow H.S.
Executive Director Approval <i>W.R. Burlington</i>	Date of Approval January 3, 1978	Date of Report December 28, 1977
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

Background

At the July 1977 Commission Meeting, two contracts were approved for the California Peace Officers' Association (CPOA) to 1) develop and print a manual of new laws to be effective January 1, 1978 and 2) present 16 one-day legislative update seminars throughout the state.

Analysis

The enclosed manual of new laws was distributed to seminar participants and to all California law enforcement agencies. The well indexed manual contains the major legislative enactments of interest to law enforcement along with valuable analysis to facilitate implementation. Many agencies have reproduced parts of the manual for distribution as roll call training bulletins.

The 16 seminars, presented between November 3 and December 14, 1977, were attended by a total of approximately 1500 law enforcement officers. The instruction was presented in an interesting and informative manner at comfortable locations. Because the instructors' legislative background afforded valuable insight into legislative intent, interpretations, motivations and history, the program was well received by law enforcement.

These seminars provided law enforcement a unique opportunity to become authoritatively informed on a timely basis.

It is anticipated CPOA will request similar contract arrangements for 1978.

Recommendation

Continue underwriting this program for 1978.

Attachment

Utilize reverse side if needed

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Attorney General's Opinions		Meeting Date January 26-27, 1978
Division Executive Office	Division Director Approval	Researched By
Executive Director Approval <i>W.R. Garlison</i>	Date of Approval <i>January 3, 1978</i>	Date of Report 12-16-77
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

The Commission at its July meeting directed that four questions be referred to the Attorney General for informal opinions:

- Does the Commission have the prerogative as to whether or not to cancel its professional certificates?
- What is the Commission's latitude in requiring local agency adherence to Commission standards?
- What is the Commission's authority to conduct the Basic Course Equivalency Evaluation process?
- What is the Commission's legal status as a regulatory agency?

RESPONSE

The Attorney General's Opinions regarding these questions are attached. They, in effect, approve present Commission procedures and affirm the Commission's ability to make and carry out policy decisions in a broad manner.

13.75 hours were expended by Dep. AG. Muker; at 37.20 p.h. this amounts to \$51.50

Memorandum

: George W. Williams
Chief, Staff Services Bureau
Administration Division
Commission on Peace Officer
Standards and Training

Date : December 1, 1977

File No.:

Telephone: ATSS ()
()

From : Office of the Attorney General

Subject: Cancellation of Professional Certificates

In memorandum dated August 24, 1977, you request a response to the following questions:

"[M]ay the Commission deem its professional certificates awards of achievement and not subject to cancellation except for being obtained because of administrative error, or fraud or misrepresentation on the part of the applicant?"

"Does the Commission have the prerogative as to whether or not to cancel its professional certificates? If the Commission elects to cancel its professional certificates, may it do so following procedures which are equitable, for causes as it determines?"

In my opinion, the Commission may deem its professional certificates to be awards for achievement. The Commission may cancel its certificates for reasons affecting the validity of the certificate, by utilizing appropriate administrative procedures providing due notice and opportunity to be heard. The Commission, in my opinion, possesses authority to establish causes for cancellation but if the certificate is deemed an award, the Commission should limit those causes to reasons affecting the validity of the certificate.

In the following discussion, reference is made to several documents which have been included as attachments to your memorandum of August 24. Extended identification of those documents is omitted for the sake of brevity, on the assumption that you are familiar with all of them.

December 1, 1977

First, the Commission may deem its professional certificates to be awards for achievement. This view of the certificates issued by the Commission is consistent with the purpose stated in section 1011(a) of the Commission's regulations and is within the powers conferred on the Commission by subdivisions (d) and (g) of section 13503 of the Penal Code. The Commission's certificates, as presently issued, are understood to be awarded upon successful completion of training courses approved by the Commission. As such, they are in the nature of diplomas and similar documents which attest to a level of accomplishment attained by the bearer. Upon review of the relevant provisions of the Penal Code, including sections 832, 832.1, 832.3 and 832.4 and related sections, particularly 832.4(a), it does not appear that the legislature has acted in reliance upon the authority of any other known conflicting view or characterization of Commission certificates as of this date. Accordingly, and because no discernible detriment accrues to certificate holders or to their employers by adoption of such a position by the Commission, I perceive no reason that these certificates should not be regarded by the Commission as awards for achievement.

Second, if the Commission does deem its certificates to be awards for achievement, it should limit withdrawal of such certificates to true "cancellations;" that is, it should withdraw a certificate only for reasons affecting its validity, such as those grounds recited in subdivision (b)(2) of section 1011 of the Commission's regulations. Withdrawal of a certificate on grounds not affecting the validity of the certificate, would be in the nature of a revocation (as of a professional license) for stated causes, and would be conceptually inconsistent with treatment of the certificate as an award for achievement.

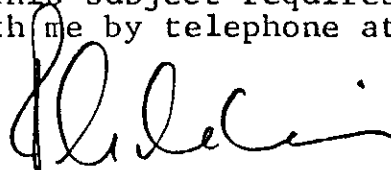
Third, whether the Commission takes the view that its certificates are "awards" or "licenses," withdrawal should occur only after utilization of the procedures recommended by Deputy Attorney General William J. Power in Indexed Letter 76/170, dated January 3, 1977. The assumption that "the revocation of an officer's certificate would impair or terminate his career in the area of law enforcement," underlies the conclusion of that Indexed Letter that notice and opportunity to be heard are required for cancellation, and applies with equal force whether the certificate is deemed a "license" or an "award." Accordingly, a certificate holder should be considered to have

December 1, 1977

as great a right to a hearing to test the legitimacy of grounds for cancellation of an award for error, misrepresentation, or fraud, as he would to so test grounds for revocation of a license for "due cause." (See IL 76/170, pp 2-3).

Fourth, in response to the question whether the Commission may cancel certificates "for causes as it determines," what has been said in the first and second parts of this discussion disposes of this last inquiry, to the extent that certificates are deemed to be awards: the causes to be determined by the Commission should, in such case, be limited to reasons affecting the validity of the certificate itself. The foregoing, however, does not address the propriety of cancellation, in the sense of "revocation," for cause, if the Commission should adopt or continue in the view that the certificate is not an award but a form of license. If this latter view is accepted, the authority to revoke the "license" is implicit in the authority to issue it, essentially for the reasons advanced by Deputy Attorney General J. Rodney Davis in the portion of Indexed Letter CR 75/11 alluded to in your memorandum of August 24. In my opinion, however, the view of the certificate as a license is likely to lead to confusion based on the incongruity between the circumstances of issuance and the potential grounds for deprivation of the certificate and should be avoided. This basic incongruity consists largely in the fact that many potential and traditional grounds for "revocation," (e.g., conviction of a felony, commission of crimes involving moral turpitude) have no relationship to the fulfillment of course requirements on which issuance of the certificate was predicated. Should the question arise in the course of some attempted revocation of a certificate, this lack of relationship between circumstance and purpose of issuance of the certificate on the one hand, and the reasons advanced to justify withdrawal of the certificate on the other, would indicate that the Commission has attempted to accomplish too much through the single device of the professional certificate, with anomalous results. The suggestion arising from this situation would then be that if a need exists to control, regulate or ensure a particular kind or level of conduct on the part of peace officers in the performance of their duties, then a direct licensing procedure, rather than an indirect "quasi-licensing" procedure should be established for that purpose.

If you believe that this subject requires further discussion, please be in touch with me by telephone at 445-5448.



ROBERT L. MUKAI
Deputy Attorney General

RLM:elo

Memorandum

To : Robert L. Mukai
Deputy Attorney General
Attorney General's Office

Date : August 24, 1977

GEORGE W. WILLIAMS, Chief *GW*
Staff Services Bureau
From : Commission on Peace Officer Standards and Training
Administration Division

Subject: REQUEST FOR LEGAL ASSISTANCE

Issue --Cancellation of Professional Certificates

Background

The Commission's Regulations and Procedures (Attachment A and B) provide that the Commission shall have the powers to cancel certificates when a certificate has been issued because of administrative error, or through fraud or misrepresentation on the part of the applicant, or when the applicant has been convicted of a felony or an offense involving moral turpitude.

Use of this power by the Commission has been nominal, and since October 28, 1976, a moratorium on such actions has been in effect.

Since the enactment of Penal Code Section 832.4, Chapter 478, Stats. 1973, the Basic Certificate has been considered by many persons as a de facto license to exercise the powers of a peace officer. (Attachment C)

Recently, the Commission has considered deeming its professional certificates to be awards of achievement and only subject to cancellation because of their being issued through administrative error or through fraud or misrepresentation. (Attachment D)

In CR 75/11 I.h. at page 6, (Attachment E), while dealing with the mandate that certain officers possess the Basic Certificate is the implication that the Commission has the authority to cancel certificates: "...this requirement established by Penal Code Section 832.4 would be emasculated absent power vested in the Commission to supervise the issuance of their certificates, and to assess whether due cause exists to cancel or recall issued certificates."

The same issue appears to be implicit in CV 76/170 Ih. (Attachment F)

August 24, 1977

Questions

Taking the preceding into consideration, may the Commission deem its professional certificates awards of achievement and not subject to cancellation except for being obtained because of administrative error, or fraud or misrepresentation on the part of the applicant?

Does the Commission have the prerogative as to whether or not to cancel its professional certificates? If the Commission elects to cancel its professional certificates, may it do so following procedures which are equitable, for causes as it determines?

Your response to these questions and your general comments on the matter would be appreciated.

Memorandum

George W. Williams
Chief, Staff Services Bureau
Administration Division
Commission on Peace Officer
Standards and Training

Date : November 30, 1977

File No.:

Telephone: ATSS ()
()

From : Office of the Attorney General

Subject: Characterization of Commission as "service" or "regulatory" agency

In a memorandum dated August 24, 1977, you have requested a response to the following question:

"While in a philosophic sense the Commission places emphasis on its role as a service organization, what is its legal status as a regulatory agency?"

You specifically point to the authority of the Commission, conferred by sections 13506 and 13510 of the Penal Code, to adopt rules and regulations.

The source of the Commission's authority to adopt regulations, and thus "regulate," is set forth in the general delegation contained in Penal Code section 13506. That section provides:

"The Commission may adopt such rules and regulations as are necessary to carry out the purposes of this chapter."

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November 30, 1977

Because the Commission has the authority to adopt regulations necessary to effectuate the legislative purposes of chapter 1 of title 4 of part 4 the Penal Code, the Commission's character may be viewed as being potentially "regulatory" to the full extent of each such purpose.

Penal Code section 13510 constitutes a specific, mandatory delegation to the Commission to exercise its rule-making power with respect to the particular purpose of raising the level of competence of local law enforcement officers. Section 13510 thus requires the Commission to establish fitness standards and minimum training standards for such officers. In so doing, section 13510 may be said to impose on the Commission a "regulatory" character insofar as fitness standards and training standards are concerned, in that the Commission is explicitly mandated to adopt regulations with respect to those particular subjects. The Commission has of course adopted such regulations.

Thus while the Commission, under section 13506, is generally, permissively and potentially "regulatory" within the complete sphere of the legislative purposes referred to in that section, it is specifically, mandatorily and actually "regulatory" with respect to the particular purpose and those particular subjects specified by section 13510.

November 30, 1977

It is my understanding that the Commission perceives a dichotomy between "service" and "regulation" in its performance of the functions enjoined upon it by the Penal Code. In this connection your memorandum points out that "the Commission has adopted and amended regulations to be followed by law enforcement agencies whose jurisdictions while eligible to receive state aid from POTF voluntarily elect to comply with the Commission's Regulations," that the Penal Code authorizes performance of "a number of services pertaining to peace officer selection, education and training, and management counseling," and that "[t]he Commission has traditionally viewed itself as being a service organization.

I perceive no inherent conflict among the several functions performed by the Commission, as described, and no inconsistency in characterization of the agency performing those functions, as "service" and "regulatory," since the Commission is susceptible to characterization as both. Any such characterization, of course, is based on recognition of the functions which the agency performs under its statutory authority. Since the Commission quite clearly performs both "service" and "regulatory" functions, it is accurate to identify the Commission as both a "service" organization and a "regulatory" agency.

Page 4
George W. Williams

November 30, 1977

If further discussion of this subject is required,
please be in touch with me at 445-5448.

A handwritten signature in dark ink, appearing to read 'R. L. Mukai', with a stylized, cursive script.

ROBERT L. MUKAI
Deputy Attorney General

RLM:elo

Memorandum

To : Robert L. Mukai
Deputy Attorney General
Attorney General's Office

Date : August 24, 1977

GEORGE W. WILLIAMS, Chief *GW*
Staff Services Bureau
From : Commission on Peace Officer Standards and Training
Administration Division

Subject: REQUEST FOR LEGAL ASSISTANCE

Issue--Regulatory v. Service

Background

Penal Code Sections 13506 and 13510 authorize the Commission to adopt regulations and that the regulations must be adopted and amended in conformance with provisions of Government Code Section 11371 et seq. Since its formation, the Commission has adopted and amended regulations to be followed by law enforcement agencies whose jurisdictions while eligible to receive State aid from the POTF voluntarily elect to comply with the Commission's Regulations.

Penal Code Section 13500 et seq. authorize the Commission to perform a number of services pertaining to peace officer selection, education and training, and management counseling.

The Commission has traditionally viewed itself as being a service organization.

While in a philosophic sense the Commission places emphasis on its role as a service organization, what is its legal status as a regulatory agency?

Your response to the question and your general comments on the matter would be appreciated.

Memorandum

● : George W. Williams
Chief, Staff Services Bureau
Administration Division
Commission on Peace Officer
Standards and Training

Date : December 2, 1977

File No.:

From : Office of the Attorney General

Subject: Training Assessment Process

Your memorandum of August 24, 1977, asks whether the Commission's practice in evaluation of basic training received by applicants for peace officer positions is within the Commission's authority. Specifically, you refer to the practice employed when the Commission is requested to waive the basic training requirement under section 1008 of the Commission's regulations, on the theory that basic training received as a reserve peace officer or peace officer in another state fulfills the purpose of basic training required by section 1005(a)(1) of the Commission's regulations.

In my opinion the Commission possesses the authority to engage in the practice which you describe, as specified below, under its authority to approve courses of training. No suggestion to the contrary is contained in the Legislative Counsel's opinion number 9409,¹ to which you have referred, and no contrary inference need be drawn from the failure of AB 1218 during the 1977 legislative

1. The Legislative Counsel's opinion responded to the specific question whether the Commission may examine "in lieu of requiring course attendance for training requirements mandated by statute." Predicating its opinion on the existence of specific legislative reference to "courses" of training, the Legislative Counsel concluded that "in lieu" examinations could not permissibly be substituted for such courses. The Legislative Counsel, however, was not asked to consider the procedure described by your memorandum, which plainly does not constitute an "in lieu" examination, and no such consideration was necessary to dispose of the question presented.

December 2, 1977

session.^{2/} Because I believe it is important that the Commission be certain in its own mind of the practical and legal effect of its procedure for approval of previous training, however, I am taking the liberty of expressing my perception of this procedure for the Commission's consideration.

You have described the Commission's procedure as follows:

"Frequently, chiefs of police and sheriffs who have or propose to employ persons, whom they believe to have been satisfactorily trained in compliance with 832.3P.C. and the Commission's Regulations, ask the Commission to waive the requirement for Basic Training. These new or prospective employees are persons who as reserve peace officers (Penal Code Section 830.6(2)) or as peace officers in another state have completed basic training. Course outlines, transcripts, certificates of completion, diplomas, etc., that are presented as documentation of already achieved training are assessed. Each subject and related number of instructional hours contained in Procedure D-1, the Basic Course, minimum requirement, is compared with the topics and related instructional hours of coverage the person has already completed. In this process, a determination is made as to whether or not the person has successfully completed a course of training (the Basic Course) approved by the Commission. For those persons whose training is determined to satisfy the minimum requirements contained in Procedure D-1, an examination is administered to determine the person's degree of knowledge in the various subjects covered in the Basic Course. Persons who have successfully completed the examination and for whom the assessment of training is favorable, are adjudged to have satisfied simultaneously the requirements of the law and the Commission's Regulations."

2. AB 1218 would have authorized exactly the kind of examination which the Legislative Counsel subsequently held to be unauthorized under present law. As introduced by Assemblyman Cline, AB 1218 provided:

December 2, 1977

The procedure described constitutes an approval of the course of training taken by the prospective peace officer employee. It does not excuse the applicant from compliance with Penal Code section 832.3, requiring peace officers to "successfully complete a course of training approved by the Commission . . . , and thus, in my opinion, ought not to be thought to constitute a "waiver" of the requirements of section 1005(a)(1) of the Commission's Regulations. What the Commission's procedure does accomplish is to permit applicants to satisfy the requirements of both Penal Code section 832.3 and Regulation 1005(a)(1) through alternatives to subsequent completion of a basic training course having the prior approval of the Commission. Viewed in this context, the described procedure actually permits the applicant to meet the requirements of section 832.3 in one of two ways: (1) He may complete a basic training course which is already approved by the Commission, in which case he meets the statutory requirement by virtue of the approved status of the course he completes. (2) Alternatively, if he has previously completed a course of basic training not already approved by the Commission, he may submit to the evaluation procedure described by your memorandum, in which case he meets the statutory requirement by securing the Commission's subsequent approval of the course completed by the applicant, as such completion is evidenced by the ~~Commission's~~ ~~Board's~~ determination that the course satisfies the minimum requirements of PAM section D and the applicant's successful completion of the Commission's equivalency examination.

It is important to recognize that upon exhaustion of either of the above procedures, the applicant has "successfully complete[d] a course of training approved by the Commission" within the meaning of Penal Code section 832.3, and has thus complied with both that statutory provision and section 1005(a)(1) of the Commission's Regulations. Present regulations and procedures do not reflect the duality of methods for compliance, and appear to me to create potential confusion by referring to your described evaluation procedure as a means of securing "waiver" of a "requirement." To avoid such confusion over the nature of the Commission's evaluation procedure it would be advisable, in my opinion, to identify both the "approved course"

2. (Cont'd.) "The commission may adopt rules which permit alternative means to satisfying the minimum standards for the training of peace officers. Such alternative means may include, but are not limited to, testing for skills and knowledge."

Page 4
George W. Williams

December 2, 1977

procedure and the "evaluation" procedure as two alternative, equivalent means of meeting the relevant statutory and regulatory requirements for the basic course.

If you wish to discuss any part of the foregoing, please do not hesitate to be in touch with me directly. It is understood, of course, that this informal memorandum reflects my own understanding of your procedures, based upon your description of the same, but is not the product of exhaustive legal or factual research and does not constitute an official opinion of this office.



ROBERT L. MUKAI
Deputy Attorney General

RLM:elo

Memorandum

Robert L. Mukai
Deputy Attorney General
Attorney General's Office

Date : August 24, 1977

GEORGE W. WILLIAMS, Chief *GW*
Staff Services Bureau

From : Commission on Peace Officer Standards and Training
Administration Division

Subject: REQUEST FOR LEGAL ASSISTANCE

Issue--Training Assessment Process

Background

The Criminal Justice Committee during a hearing on AB1218, a bill which would have authorized POST to test in lieu of the completion of training mandated by the Legislature, failed to pass the bill out of committee in part because of the belief that POST already had this authority. Subsequently, the Legislative Counsel was asked, "May the Commission on Peace Officer Standards and Training examine in lieu of requiring course attendance for training requirements mandated by statute?" The opinion provided to Mr. Cline, the bill's author was, "The Commission may not examine in lieu of requiring course attendance for compliance with such training standards." (See Attachment 1)

Penal Code Section 832.3 requires that certain peace officers "...shall successfully complete a course of training approved by the Commission..." On October 31, 1974, the Commission approved the Basic Course for the purposes of complying with Penal Code Section 832.3. The minimum training requirements for the Basic Course are contained in Commission Procedure D-1. (See Attachment 2)

Commission Regulation 1005(a)(1) states, "Each and every trainee employed by a county sheriff's department, city police department or district authorized by statute to maintain a police department shall meet the requirements of Section 832.3 P.C."

Commission Regulation 1008 provides, "the Commission may waive the requirement for the completion of any course required by Section 1005 of the Regulations upon presentation of documentary evidence by a department that an officer has satisfactorily completed equivalent training."

Frequently, chiefs of police and sheriffs who have or propose to employ persons, whom they believe to have been satisfactorily trained in compliance with 832.3 P.C. and the Commission's Regulations, ask the Commission to waive the requirement for

August 24, 1977

Basic Training. These new or prospective employees are persons who as reserve peace officers (Penal Code Section 830.6(2) or as peace officers in another state have completed basic training. Course outlines, transcripts, certificates of completion, diplomas, etc., that are presented as documentation of already achieved training are assessed. Each subject and related number of instructional hours contained in Procedure D-1, the Basic Course, minimum requirement, is compared with the topics and related instructional hours of coverage the person has already completed. In this process, a determination is made as to whether or not the person has successfully completed a course of training (the Basic Course) approved by the Commission. For those persons whose training is determined to satisfy the minimum requirements contained in Procedure D-1, an examination is administered to determine the person's degree of knowledge in the various subjects covered in the Basic Course. Persons who have successfully completed the examination and for whom the assessment of training is favorable, are adjudged to have satisfied simultaneously the requirements of the law and the Commission's Regulations.

Question

Is the current practice of the Commission of evaluation of already achieved basic training within the scope of the Commission's authority?

Your response to the question and your general comments on the matter would be appreciated.

Memorandum

George W. Williams
Chief, Staff Services Bureau
Administration Division
Commission on Peace Officer
Standards and Training

Date : November 29, 1977

File No.:

Telephone: ATSS ()
()

From : Office of the Attorney General

Subject: Local Agency Variance from Commission Standards

In your memorandum of August 23, 1977, you have inquired what degree of latitude the Commission on Peace Officer Standards and Training possesses with respect to local agency adherence to the Commission's standards.

Penal Code section 13523 provides, in part, as follows:

"In no event shall any allocation be made to any city, county, or district which is not adhering to the standards established by the commission as applicable to such city, county, or district."

In describing present Commission practice under this section, you have advised:

"It has been the Commission's practice to interpret this provision of law in terms of the overall attainment of the Commission's objective to achieve the upgrading of law enforcement.

DEC 9 27 AM '77

LOS ANGELES

November 29, 1977

Occasionally, for example, agencies technically are not in adherence but they have demonstrated through affirmative and constructive action their efforts to comply with the Commission's standards. In most instances, they may be deemed to be in substantive compliance but in need of financial or counseling assistance from POST together with sufficient time to work out their problems. Frequently, the problems faced by the local agencies are complex and have developed over many years and do not lend themselves to speedy solution. In the past, it has been the Commission's judgment that such agencies' actions are within the spirit of the law and may continue to receive aid while progress is made in achieving total compliance with the Commission's standards."

It is believed that the Commission's described objective is consistent with the statute and that the practice of permitting continued receipt of such aid pending attainment of full compliance, as described, is consistent with the objective.

Section 13523 does not speak in terms of compliance with or variances from standards, but rather in terms of adherence

November 29, 1977

to Commission standards. Since the statute unequivocally forbids allocations to any local agency "which is not adhering to" Commission standards, the dispositive question in determining whether the agency may or may not continue to receive aid under section 13523, is whether the agency's variance form, or lack of compliance with, established standards constitutes a failure to adhere to those standards.

"Adhere" is defined by Webster's New International Dictionary (2d Ed.) as follows:

"2. To hold, be attached, or devoted, to remain fixed, either by personal union or by conformity of faith, principle, opinion, or practice; specif., to give support by some overt act of aid or assistance; as, men adhere to a party, a cause, a leader, a church."

"Adherence" is defined by the same authority as follows:

"1. Quality, act, or state of adhering; specif., adhesion; fidelity; steady attachment; continued observance; as, adherence to a party or to opinions."

Since the Commission is the author of the standards referred to by section 13523 and possesses familiarity with the range of problems confronting local agencies in attaining compliance the degree of variance from total compliance deemed

November 29, 1977

permissible in administration of aid to local agencies should be determined in the first instance by the Commission as a matter within its peculiar expertise.

If aid is to be continued to an agency which is not currently complying with Commission standards, the Commission should be satisfied that upon consideration of the particular facts and conditions pertaining to the agency in question, the agency's variance from total compliance does not constitute a lack of adherence to Commission standards.

In any decision to discontinue aid to an agency under section 13523, the Commission should be satisfied that a lack of adherence to standards has been demonstrated in consideration of the extent and duration of non-compliance, in light of the facts and circumstances peculiar to the local agency.

In my opinion, it is highly advisable that the Commission establish a monitoring mechanism for measurement of local agency progress toward total compliance, so that Commission decisions to continue or discontinue aid may rest on an articulate and quantified determination that a given agency is or is not deemed to be "adhering" to standards under section 13523.

The utility of such a mechanism is threefold.

First, it is desirable that the Commission be consciously informed of local agency progress toward total compliance

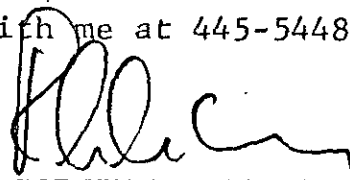
November 29, 1977

in terms of identifiable accomplishments over time, so that a state of non-compliance will not be allowed to become chronic for want of local agency attention. When a condition of non-compliance is identified, the Commission staff may wish to consult with the local agency to establish a mutually-agreeable timetable for compliance, specifying the steps toward compliance which must be completed over given periods of time, and reported to the Commission in periodic progress reports.

Second, the existence of a progress plan which recognizes the problems of a particular agency obviously informs the local agency of its own needs, permits the agency to plan in anticipation of meeting these needs, and puts the agency on notice that failure to meet these needs may result in discontinuation of aid.

Third, such a mechanism provides the Commission an informed basis for any decision it may make to discontinue aid to a given local agency, while at the same time providing the Commission a data base for any decision not to discontinue aid, predicated on satisfactory progress toward complete compliance.

If you wish to discuss this subject further, please do not hesitate to be in touch with me at 445-5448.


ROBERT L. MUKAI
Deputy Attorney General

RLM:elo

Memorandum

To : Robert L. Mukai
Deputy Attorney General
Attorney General's Office

Date : August 23, 1977

GW
From : GEORGE W. WILLIAMS, Chief
Staff Services Bureau
Commission on Peace Officer Standards and Training
Administration Division

Subject: REQUEST FOR LEGAL ASSISTANCE

Issue--The Degree of Non-Adherence to Standards

Background

In your memorandum of July 7, 1977, in reference to standards mentioned in Penal Code Section 13523, is the statement "...that no allocation be made to any local agency not adhering to those standards." The standards referred to are the Commission's standards with which local agencies have a need to adhere.

At its meeting on July 29, 1977, with reference to your memorandum, the following question was raised: what degree of latitude does the Commission have in determining compliance with its standards?

It has been the Commission's practice to interpret this provision of law in terms of the overall attainment of the Commission's objective to achieve the upgrading of law enforcement. Occasionally, for example, agencies technically are not in adherence but they have demonstrated through affirmative and constructive action their efforts to comply with the Commission's standards. In most instances, they may be deemed to be in substantive compliance but in need of financial or counseling assistance from POST together with sufficient time to work out their problems. Frequently, the problems faced by the local agencies are complex and have developed over many years and do not lend themselves to speedy solution. In the past, it has been the Commission's judgment that such agencies' actions are within the spirit of the law and may continue to receive aid while progress is made in achieving total compliance with the Commission's standards.

Your response to the question raised during the Commission's meeting and your general comments on the matter would be appreciated.

THE CALIFORNIA STATE UNIVERSITY AND COLLEGES

BAKERSFIELD - CHICO - DOMINGUEZ HILLS - FRESNO - FULLERTON - HAYWARD - HUMBOLDT
POMONA - SACRAMENTO - SAN BERNARDINO - SAN DIEGO - SAN FRANCISCO - SAN JOSE



LONG BEACH - LOS ANGELES - NORTHRIDGE
SAN LUIS OBISPO - SONOMA - STANISLAUS

OFFICE OF THE CHANCELLOR
(213) 5905631

December 28, 1977

William R. Garlington
Executive Director
Commission on Peace Officer
Training and Standards
7100 Bowling Drive
Sacramento, CA 95823

Dear Mr. Garlington:

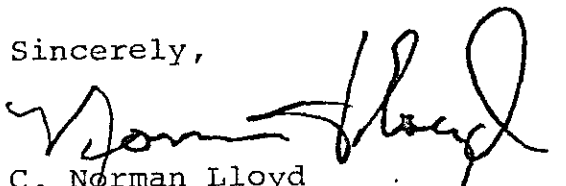
This letter will serve to follow-up our conversation during my recent visit to POST.

As I indicated, the CSU&C would like to be eligible to participate in the Administrative Counseling program offered by POST. In 1974, we requested consideration for this service to one of our campus police departments and were told our agency was not eligible. During the above meeting that POST policy was reiterated by Ron Allen of your staff.

Therefore, we would like to request that POST review their policy regarding eligibility of the CSU&C for Administrative Counseling. We feel campus law enforcement units could derive real benefits from Administrative Counseling, if it were available to them.

We appreciate the support we have received from POST and look forward to a continuing good working relationship between our organizations.

Sincerely,


C. Norman Lloyd
Coordinator of Public Safety

CNL:jm

JAN 3 10 33 AM '78

COMMISSION ON POST

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1000 BOWLING DRIVE, SUITE 250
SACRAMENTO 95823EXECUTIVE OFFICE
(916) 445-4515

January 5, 1978

ADMINISTRATION
Certificates
Reimbursements
(916) 322-2235STANDARDS AND TRAINING
(916) 322-2180MANAGEMENT SERVICES
(916) 445-0345

C. Norman Lloyd
Coordinator of Public Safety
California State Universities
and Colleges
400 Golden Shore
Long Beach, California 90802

Dear Mr. Lloyd:

Your letter requesting POST administrative counseling services for the California State Universities and Colleges law enforcement units will appear on the Commission consent calendar on January 26, 1978. I don't know how the commissioners will perceive this request but for your information should they consider it, their decision may well be based on any or all of these questions or precedents.

The Commission has not previously provided counseling service without cost to any but clearly identified local law enforcement agencies. It has also, during the past three or four years, consistently reduced administrative counseling personnel to a level which will allow no more than a service sufficient for local law enforcement.

In addition, there may be a legal question in providing this service to a state funded agency based on Penal Code Section 13513. While this law does not prohibit administrative counseling to nonlocal agencies within the reimbursement program, it only mandates it to requesting local departments.

Regardless of the Commission's decision in this instance, you can be assured of a continuing good working relationship.

Sincerely,

WILLIAM R. GARLINGTON
Executive Director



California State Sheriffs' Association



Organization Founded by the Sheriffs in 1894

November 16, 1977

President
JAMES W. CAMERON
Yolo County
P.O. Box 179
Woodland, CA 95695
916-866-8222

1st Vice President
DUANE H. LOWE
Sacramento County
P.O. Box 988
Sacramento, CA 95805
916-441-3441

2nd Vice President
BOB WILEY
Tulare County
County Civic Center
Visalia, CA 93278
209-733-6241

Sergeant-At-Arms
JOHN H. MacDONALD, JR.
San Mateo County
401 Marshall Street
Redwood City, CA 94063
64-1811

Secretary
LYNN WOOD
Stanislaus County
P.O. Box 858
Modesto, CA 95353
209-526-6456

Treasurer
BRAD GATES
Orange County
P.O. Box 4151
Santa Ana, CA 92702
714-824-8012

Commission on Peace Officers'
Standards & Training
7100 Bowling Drive
Sacramento, CA 95823


Gentlemen:

On behalf of the California State Sheriffs' Association,
I wish to advise you of our support for your newly developed
Search and Rescue Management Training Program.

We are pleased to find that the emphasis on search and rescue
work is being placed in the hands of local law enforcement,
as it belongs. This training you are now offering can only
mean added benefits for the people of our state.

Again, may we congratulate you on your continuing efforts to
improve California law enforcement.

Sincerely,


Lynn Wood
Secretary, CSSA

SR:sb

NOV 20 1977

RECEIVED

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET			
Agenda Item Title Reimbursement Study for FY 1978/79		Meeting Date January 26-27, 1978	
Division S & T Division	Division Director Approval Bradley W. Koch <i>Buck</i>	Researched By <i>B. W. Richardson</i> B. W. Richardson	
Executive Director Approval <i>W. R. Gairington</i>	Date of Approval December 8, 1977	Date of Report 11-22-77	
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input checked="" type="checkbox"/> (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>			
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).			
<p><u>ISSUE</u></p> <p>The Commission on POST, at a meeting held on October 28 and 29, 1976, directed staff to, on a yearly basis, conduct a reimbursement study. The study is to be presented to the Commission at its January meeting so that a salary reimbursement rate can be adopted for the upcoming fiscal year.</p> <p>This report is provided to assist the Commission in determining the salary reimbursement rate for FY 1978/79.</p> <p><u>FACTS BEARING ON THE ISSUE</u></p> <p>On June 30, 1977, the Commission was advised that the POTF contained an unallocated balance of \$4,885,379.43, and that revenue for FY 1976/77 was \$12,885,142.52.</p> <p>On August 12, 1977, the State Controller's Office transferred \$762,838.78 from the POTF to the Driver Training Fund because of accounting errors discovered in Sacramento County; \$394,860.25 in FY 1975/76 and \$367,978.53 in FY 1976/77. The State Controller has agreed to permit the POTF to retain the interest earned on the \$762,838.78. This amounts to approximately \$60,000.</p> <p>The amount of unallocated balance on hand as of June 30, 1977 was consequently reduced to \$4,122,540.65.</p> <p>As of September 30, 1977, reimbursement claims processed for training that occurred during the last quarter of FY 1976/77 amounted to \$1,005,484.37, which will reduce the unallocated balance to \$3,117,056.28.</p> <p>Total reimbursement for training in FY 1975/76 was \$7,485,913. Reimbursement for training in FY 1976/77 will be approximately \$8,220,000, an increase of \$734,087 or 9.8%.</p>			
Utilize reverse side if needed			

Reimbursement Study for FY 1978/79 -2-

Assuming that the same rate of increase continues, reimbursement for FY 1978/79 is projected at \$9,025,560. This amount does not include the cost of salary reimbursement for the "Job Specific" training program which went into effect on July 1, 1977. Salary reimbursement for "Job Specific" training will add an estimated \$540,000 to reimbursement expenses for FY 1977/78, thus increasing projected reimbursement expenses for FY 1977/78 to be approximately \$9,565,560.

Reimbursement plus administrative expenses (budgeted at \$2,479,332), and those for contracts, currently \$880,000 (committed or spent), will cause total expenditures for FY 1977/78 to be approximately \$12,924,892.

POST revenue, including interest earned on the POTF for the same period, is projected at \$12,300,000 or an amount less than total expenditures.

At the end of FY 1977/78, after all claims for the year are processed, the unallocated balance should be approximately \$2,492,164.

The projected amount the Commission will have available for allocation during FY 1978/79 is \$14,892,164. This amount includes \$12,400,000 projected revenue for FY 1978/79, including interest earned on the POTF and the unallocated balance projected on hand as of June 30, 1978.

Administrative expenditures for FY 1978/79 have been budgeted by the Commission at \$2,427,291, and contracts are presently projected at \$800,000 (action on DOJ and CSTI contracts may increase this projection) for a combined total of \$3,227,291. Subtracting this amount from anticipated resources (\$14,892,164), the Commission will have \$11,664,873 available during FY 1978/79 for appropriation as aid to local government: Current projections indicate that \$9,749,145 will be reimbursed for training that occurs during FY 1978/79, leaving an unallocated balance of \$1,915,728. (See chart on page 5.)

Based on the above projections, staff believes that the existing 60% salary reimbursement rate for the Basic, Advanced Officer, Supervisory, Middle Management, and Technical "Job Specific" courses can be continued in FY 1978/79.

Continuation of the Commission's policy of gradual, planned reduction of the unallocated balance in the POTF will enhance the possibility of sustaining salary reimbursement at the 60% rate during 1979/80, and possibly FY 1980/81.

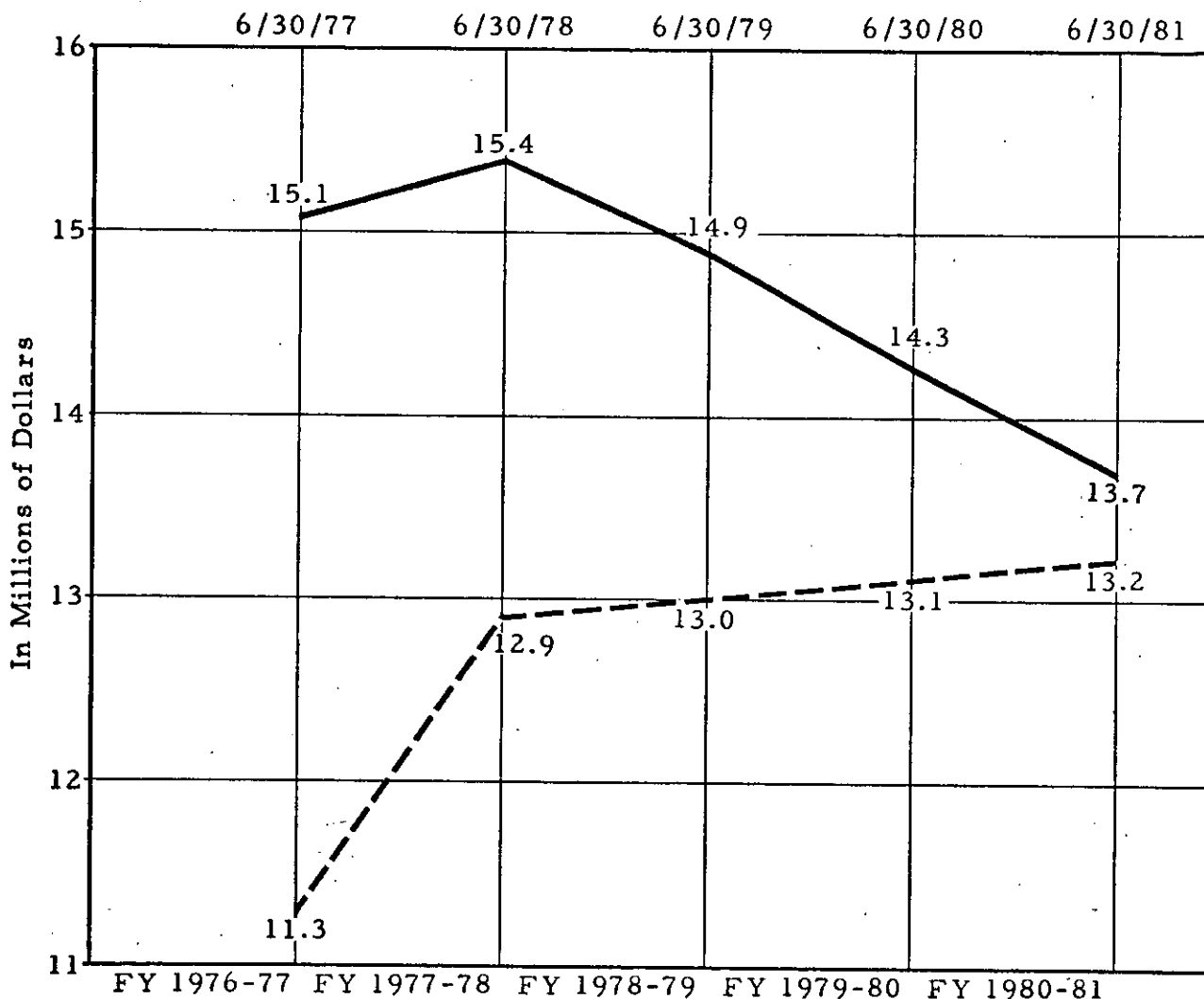
Barring any unforeseen changes in the existing reimbursement program, or additional transfers from the POTF by the State Controller's Office, it is projected that the Commission will be required to reduce the reimbursement rate downward (to coincide with revenue), when the unallocated balance is expended - probably in FY 1981/82. The chart on page 3 is included to graphically illustrate staff projection of resources and expenditures through June 30, 1981.

COMMISSION ON POST

November 22, 1977

Reimbursement Study for FY 1978/79

COMPARISON OF PROJECTED RESOURCES AND EXPENDITURES THROUGH FY 1980-81



———— = Resources

----- = Expenditures

The resources include the unallocated balance carried over annually POST revenue and interest earned on the POTF.

The expenditures include administrative costs, contract costs and reimbursement.

Note: Contracts were projected using a constant figure of \$800,000; reimbursement and administrative costs were projected using a minimal inflation rate.

RECOMMENDATION

Adopt a salary reimbursement rate of 60% for FY 1978/79.

EXTENSION OF REIMBURSEMENT FOR OUT-OF-POCKET EXPENSES ON THE BASIC COURSE

The Commission may also wish to consider extending reimbursement for out-of-pocket expenses incurred by attendance at the Basic Course. Presently, the average course length statewide is 572 hours.

Most members of the Basic Course Consortium group have indicated that the changeover to performance objectives has necessitated an increase in the hours required to present the Basic Course, extending the course length substantially beyond the 400 hours currently reimbursed by POST.

Although there is no consensus as to the number of hours required, consortium members insist it will require between 480 and 600 hours to teach the performance objectives based Basic Course. A separate staff study is being developed to determine the minimum number of hours of instruction required for the revised Basic Course to assist the Commission in determining the appropriate number of hours to be reimbursed.

A number of law enforcement administrators believe that the time period for subsistence coverage should be extended to cover the additional hours of instruction, thus reducing the fiscal impact on agencies for out-of-pocket expenses. Letters concerning this issue and the response by POST are included in Attachment A.

The attached chart reflects reimbursement at the 60% rate for up to 400 hours each for salary and 100% for "out-of-pocket" expenses.

The following information is offered to assist the Commission in reviewing the chart.

Column I	Course or training course category
Column II	Estimated number of trainees to be trained in FY 1978/79
Column III	Pay plan(s) under which course or course category is reimbursed
Column IV	"Out-of-pocket" costs which include subsistence, travel and tuition
Column V	Estimated salary costs
Column VI	Estimated cost to train one trainee for each category or training course
Column VII	Estimated reimbursement for each category of training course shown

REIMBURSEMENT PLAN FOR FISCAL YEAR 1978-79
REIMBURSEMENT FOR SALARY MAINTAINED AT 400 HOURS
OUT-OF-POCKET EXPENSES REIMBURSED FOR MAXIMUM OF 400 HOURS

COURSE OR COURSE CATEGORY	NUMBER OF TRAINEES	PAY PLAN	OUT-OF-POCKET COST 100%	SALARY	AVERAGE TRAINING COST PER MAN	TOTAL REIMBURSEMENT
BASIC	2,400	II	\$1,008,000	\$3,859,200	\$2,028	\$4,867,200
ADVANCED OFFICER	8,500	II	199,155	1,452,990	194	1,652,145
SUPERVISORY	600	II	103,680	273,120	628	376,800
MANAGEMENT	375	I	169,800	187,800	954	357,600
TECHNICAL/SPECIAL EXECUTIVE DEVELOP- MENT	8,000	I II III IV	1,895,400	600,000	312	2,495,400
TOTAL	19,875		3,376,035	6,373,110		9,749,145
Projected reimbursement cost for FY 1978/79 based on 60% salary reimbursement and 100% of out-of-pocket expenses for 400 hours.			Contracts			800,000
			Total Aid to Local Government			10,549,145
			Administration			2,427,291
			Reserve - Unallocated Balance			1,915,728
			Grand Total			14,892,164

FISCAL IMPACT OF EXTENDING REIMBURSEMENT FOR "OUT-OF-POCKET" EXPENSES
ON THE BASIC COURSE FOR FY 1978/79

The following data is provided to illustrate the fiscal impact of extending reimbursement during FY 1978/79 for "out-of-pocket" expenses in excess of the 400 hours currently being reimbursed for the Basic Course. Calculations were made in 40-hour increments beginning at 400 hours and extending to 600 hours.

Each additional 40 hour increment approved will increase out-of-pocket expenses by \$100,800.

<u>No. of Hours Reimbursed by POST for "Out-of-Pocket Expenses</u>	<u>Total Cost for "Out-of-Pocket Expenses</u>	<u>Unallocated Balance Projected on Hand as of June 30, 1979</u>
400	\$1,008,000	\$1,915,728
440	1,108,800	1,814,928
480	1,209,600	1,714,128
520	1,310,400	1,613,328
560	1,411,200	1,512,528
600	1,512,000	1,411,728

Attachment "B" contains a chart entitled, "Basic Course Comparisons-POST Required Subject Categories," and is offered to assist the Commission in determining the number of hours currently being devoted to POST required subject categories.

ATTACHMENT "A"

**Letters Requesting Extension of Reimbursement
On the Basic Course and the Response by POST**



CITY OF CHICO, CALIFORNIA

POLICE DEPARTMENT - P. O. BOX 3420, 95927
TELEPHONE (916) 343-4401



William R. Garlington
Executive Director
Commission on Peace Officer Standards & Training
7100 Bowling Drive, Suite 250
Sacramento, California 95823

August 11, 1977

COMMISSION ON POST
AUG 12 9 58 AM '77

Dear Mr. Garlington:

At the August 9th meeting of the Advisory Committee for the Northern California Criminal Justice Training and Education System, Butte Center, it was decided that recent revisions of the basic training academy curriculum required additional training time. The advisory committee passed a resolution extending the Butte Center basic academy to twelve weeks.

As you know, basic academy training is essential to law enforcement personnel, and it is our opinion that the two week extension of the course merely provides enough time for inclusion of vital, new information which recruits require.

The intent of this letter is to request that you seek approval for funding the additional eighty hours of training. Most smaller agencies would have difficulty supporting the program on their own.

Should total reimbursement for the extension not be possible, we request that you at least consider absorbing the cost for per diem expenses.

We in Butte County, as well as agencies in other parts of the state, recognize POST as the undisputed moving force behind viable training and education for law enforcement. We appreciate your serious consideration of this request and can assure you of our desire to cooperate on matters of mutual interest.

Sincerely,

U. F. Butlerjahn
U. F. Butlerjahn
Chief of Police

UFB:pb
232/GA-SC-DJ-a
cc: Frederick E. Allen, Butte Center

September 14, 1977

U. F. Bullerjahn
Chief of Police
Chico Police Department
P. O. Box 3420
Chico, CA 95927

Dear Chief Bullerjahn:

Thank you for writing about the Butte College Basic Academy 12-week course. The Commission's schedule calls for a complete review of POST's reimbursement policies at its January meeting. While your letter will be brought to the attention of the Commission in October, I will recommend no action be taken until January so all major funding issues may be equitably considered at one time.

As you may know, most basic academies are now in the process of presenting their first Revised Basic Course, or will do so in the near future. POST's staff is evaluating all presentations in the State. Hopefully, the Butte College Advisory Committee will also evaluate its own course.

I have been led to believe the Revised Basic Course can be presented in 400 hours or less. If after a reasonable trial period this proves not to be possible, the Commission will then have to decide whether they will continue the present reimbursement policy or extend it for a longer time.

You are cordially invited to the Commission meeting on October 13-14 at the Riviera Hotel in Palm Springs. In any event, I will make sure you are advised of the outcome of its deliberations.

Sincerely,

/s/ W.R.G.
WILLIAM R. GARLINGTON
Executive Director

J.K.
Note to Typist: Itemize Enclosures on this Copy

Bu. Chief	Director	Xerox copy to: <i>5 COPIES W/REPS ATTACHED.</i>	MANAGEMENT SERVICES DIVISION FILE COPY
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LARRY GILLICK
Sheriff-Coroner

OFFICE OF
SHERIFF-CORONER

COUNTY OF BUTTE
P. O. Box 1310
OROVILLE, CALIFORNIA, 95965
Area Code 916 \$ Phone 534-4321

PLEASE REFER
TO FILE NO. _____

August 12, 1977

William R. Garlington-Executive Director
Commission on Peace Officer Standards and Training
7100 Bowling Drive
Sacramento, CA 95823

Dear Mr. *Bill* Garlington:

With the implementation of the POST Basic revision it was necessary for the Basic Academy at Butte Center and other Centers to increase to 12 weeks. POST at the present time will reimburse for a maximum of 400 hours which will cause a hardship on all smaller departments.

We respectfully request that the POST Commission consider, as an emergency matter, increasing reimbursement to cover the additional time necessary to implement the POST Basic Revision.

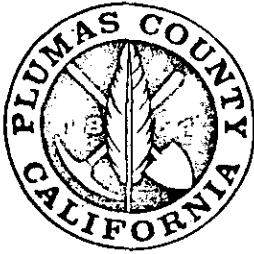
Your prompt attention to this matter would be greatly appreciated.

Very Truly Yours

Larry
Larry Gillick
Sheriff-Coroner

LG/KGM/bm

AUG 15 10 41 AM '77
COMMISSION ON POST



S. DOUGLAS THOMAS
SHERIFF—CORONER

OFFICE OF THE SHERIFF

POST OFFICE BOX 1106
QUINCY, CALIFORNIA 95971
(916) 283-0400

August 31, 1977

William R. Garlington
Executive Director
Commission on Peace Officer
Standards and Training
7100 Bowling Drive
Sacramento, California 95823

Dear Bill:

This is to request that P.O.S.T. reimburse for two additional weeks of Basic Academy Training. Presently the Butte Regional Training Academy offers a ten week basic academy for law enforcement recruits, but with the next session this will increase to twelve weeks.

A twelve week course is needed to cover the new basic revision project, and if reimbursement is not forthcoming for this additional two weeks, a financial burden will be imposed upon agencies utilizing the Basic Academies.

Any consideration in this matter would be greatly appreciated.

Sincerely,

S. Douglas Thomas
SHERIFF—CORONER

SDT/kk

SEP 9 10 29 AM '77

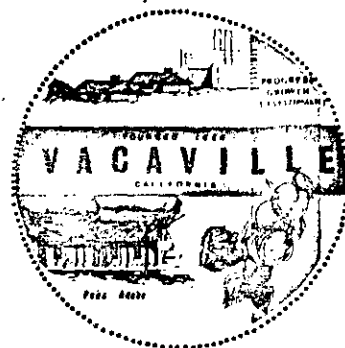
COMMISSION ON POST

COUNCIL MEMBERS
BARBARA J. JONES, Mayor
ETHEAL C. GILLEY, Vice Mayor
WILLIAM J. CARROLL
BERTON N. HASSING
CAROLYN VAN LOO

CITY OF VACAVILLE

650 MERCHANT STREET
VACAVILLE, CALIFORNIA 95688

August 15, 1977



OFFICE OF Chief of Police
Telephone: 707-448-6262

Brook Koch
Ways

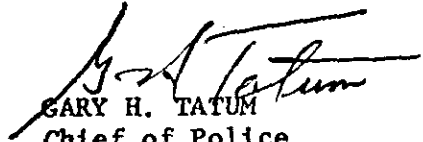
William R. Garlington
Commission On Peace Officer
Standards And Training
7100 Bowling Drive, Suite 250
Sacramento, California 95823

Dear Sir,

It has come to our attention that the basic academy which we now utilize (NCCJTES, Butte Center) will soon change from a ten week program to a twelve week program. We approve of the extension which will increase instruction in areas critical to a professional law enforcement program. However, due to budgetary constraints, the additional two weeks would cause fiscal problems within a department of our size.

It is requested that the commission establish a policy of reimbursement for the additional two weeks in order to allow us to continue seeking the best possible training programs for newly appointed officers.

Sincerely,


GARY H. TATUM
Chief of Police

GT/se

cc: Allen

AUG 17 9 34 AM '77

COMMISSION ON POST

City of Yuba City



California

POLICE DEPARTMENT ☎ (916) 673-3121
816 Clark Avenue - Post Office Box 1116
Yuba City, California 95991

Office of: ROBERT W. SMITH
CHIEF OF POLICE

Refer

August 10, 1977

COMMISSION ON POST
AUG 11 10 02 AM '77

Mr. William R. Garlington
Executive Director
Peace Officers Standards and Training
7100 Bowling Drive, Suite 250
Sacramento, California 95823

Dear Mr. Garlington:

The Butte Center Advisory Committee recently voted to extend the 17th Basic Academy to 12 weeks.

Recognizing that modifications and extensions of current basic academy courses will require additional time, this addition was unanimously accepted by the committee for the 17th academy. Upon completion, it can then be determined if the additional two weeks are sufficient to include the necessary materials.

Committee reaction seemed to indicate the modifications and extensions were indeed worthwhile and quite acceptable, however the fact that the two weeks addition is not reimbursable by POST funds is of great concern to many of the participating agencies.

As you are aware, Butte Center provides service to many jurisdictions which are relatively small and which rely very heavily on the "blessing" of POST reimbursement. As I represent one of these smaller agencies, I am indeed concerned, therefore, I request that you and members of your staff, as well as the POST Commission, consider the possibility of reimbursing the extension of the Basic Academy.

If this cannot be accomplished, then I additionally request that at least per diem reimbursement be granted for the extension, as that alone would be of great assistance to the smaller agencies.

Your immediate attention and assistance in this matter will be greatly appreciated.

Assuring you of my desire to be of service in all matters of mutual interest, I remain,

Sincerely,

Robert W. Smith
ROBERT W. SMITH
CHIEF OF POLICE

RWS:fw



City of Rialto California

POLICE DEPARTMENT

128 N. Willow
Rialto, California 92376

RAYMOND E. FARMER
Chief of Police

November 22, 1977

Commission on Peace Officer Standards and Training
7100 Bowling Drive, Suite 250
Sacramento, California 95823

Attn: Mr. William J. Anthony, Chairman

Dear Mr. Anthony:

The San Bernardino County Law Enforcement Administrators Association is aware of the revision of the POST Basic Course to a Performance Objectives-based curriculum. We are also aware of the fact that the San Bernardino County Sheriff's Department Training Academy, upon whom we depend for training of our personnel, are members of a Consortium of academies throughout the State who are committed to conversion to this curriculum, paving the way for the remaining academies to follow.

The San Bernardino County Sheriff's Department Training Academy Staff, after commencing implementation of the revised Basic Course, has reached the conclusion, shared by a consensus of the Consortium, that a Performance Objectives-based Academy will require considerably more time than has previously been allotted. Commencing with the Academy's 51st Session on January 16, 1978, their training time will increase from a 620-hour Academy covered in twelve weeks, to a 735-hour Academy covered in fourteen weeks.

It is the position of this Association that we fully support the Sheriff's Department Academy's evaluation of the needs for the conversion to Performance Objectives in an expanded time framework.

Further, it is the position of this Association that the Commission on Peace Officer Standards and Training should favorably consider the request of the Consortium members to increase the POST reimbursement for Basic Training from 400 hours to 600 hours.

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This increase in reimbursement should become effective immediately for all agencies who participate in a POST certified Academy which has converted to the Performance Objectives-based curriculum.

We urge that the Commission take this action at your meeting in January, 1978.

Yours truly,

San Bernardino County Law Enforcement
Administrators Association

JERRY DOYLE, Chief
Chino Police Department
Chairman


RAYMOND E. FARMER, Chief
Rialto Police Department
Secretary

ATTACHMENT "B"

Basic Course Comparisons - POST Required

Subject Categories

BASIC COURSE COMPARISONS
POST REQUIRED SUBJECT CATEGORIES

	Introduction to Law Enforcement	Criminal Law	Criminal Evidence	Administration of Justice	Criminal Investigation	Community Police Relations	Patrol Procedures	Traffic Control	Juvenile Procedures	Defensive Tactics	Firearms	First Aid	Examinations	Total Hours Required in Post Required Subjects	Total Certified Hours
Academy of Justice Riverside	17	30	21	6	60	13	40.5	30	12	20	28	23.5	8	341	440
Alameda County Sheriff's Department	10	28	15	7	59	49	79	26	3	48	39	18	6	392	450
Allan Hancock	19	61	16	10	73	25	102	47	8	39	60	20	10	490	400
California Highway Patrol	17	31	18	20	54	34	90	203	3	104	72	32	19	702	885
Central Coast Counties Police Academy (Gavilan)	18	25	10	24	47	22	55	40	12	35	16	16	5	325	480
Kern County Peace Officer's Training Academy	12	20	26	6	67	22	71	40	13	24	28	16	9	354	404
Long Beach Police Department Academy	10	43	18	5	72	69	138	54	14	40	66	17	13	559	640
Los Angeles County Sheriff's Academy	10	20	10	8	36	24	200	42	3	44	86	13	30	531	960
Los Angeles Police Department Academy	16	27	23	6.5	25	42	147	65	7	40	136	14	-	548.5	800
Los Medanos College	17	42	10	10	57	21	44	33	15	60	28	20	13	371	424
Modesto Regional Criminal Justice Training Center	12	26	24	8	124	24	50	49	12	23	47	16	12	427	452
Butte Center	16	64	17	4	64.5	9	101	33	3	37	33.5	16	14	417	480
Redwoods Center	13	22	13	9	67	20	53	39	13	44	46	20	6	362	400
Santa Rosa Center	15	31	18	8	57	25	68	41	8	49	39	27	14	400	400
Oakland Police Department	48	72.5	28	4	41	90.5	90.5	62	8	52	62.5	19.5	21.5	600	847
Orange County Peace Officers' Academy	13	27	11.5	11	59.5	20	62	35	10.5	31.5	38.5	20	10	349.5	450
Orange County Sheriff's Department	15.5	56	20.5	9	44.5	20	83.5	40.5	10.5	38	41.5	14	15	408.5	469
Rio Hondo College Basic Recruit School	12	37	18	12	54	20	41	44	3	33	33	15	18	345	510
Sacramento Law Enforcement Training Center	25	35	22	10	39	16	200	45	20	24	20	16	22	494	508
San Bernardino County Sheriff's Department	47	24	19	19	80	45	64	28	11	33	52	22	-	444	886
San Diego County Sheriff's Department	62	24	23	16	74	66	108	67	13	42	69	43	8	612	683
San Diego Police Department	40	50	20	20	54	57	70	56	11	85	65	96	20	643	886
San Francisco Police Department	43	40	14	14	80	45	107	42	13	38	50	16	6	508	600
Santa Clara Valley Criminal Justice Training Center	18	25	10	32	47	36	55	40	8	16	16	10	24	337	440
State Center Peace Officer Academy - Fresno	10	24	24	9	16	29	80	42	12	35	34	20	10	345	400
Tulare-Kings County Peace Officers' Academy	10	48	14	12	62	25	106	39	13	53	43	18	50	490	560
Ventura County Police and Sheriff's Academy	12.5	51	20	10	58	24	90.5	41	12	47	49.5	25	19.5	460	580
Average Number Hours Per Subject	20.66	36.42	17.89	11.47	58.20	34.17	88.90	44.62	10.53	42.02	48.10	22.34	14.19		572
Number Hours Required By POST	10	16	8	4	34	20	40	20	3	14	12	10	4		

POST REQUIRED SUBJECTS AVERAGE = 453.91 HOURS

11-22-77

1978-79
Aid to Local Government
Estimated Contractual Obligations

<u>Name of Contractor and Digest of Contract</u>	<u>Amount</u>
State Controller - To provide field auditing services of reimbursement claims	\$50,000
Thomas H. Anderson plus Southern California presenter - To make 6 presentations of the Executive Development Course	48,000
DOJ - Computer feasibility study, design requirements and systems design	25,000
State Personnel Board - Course Evaluation Instruments computer time/printouts	1,000
Teale Consolidate Data - Data processing services	1,300
General Services MSO - Data processing for scoring Course Evaluation Instruments	4,000
CSU, Northridge - To make 5 presentations of Management Course	28,010
CSU, Long Beach - To make 6 presentations of Management Course	35,000
San Diego Regional Training System - To make 6 presentations of Management Course	35,000
CSU, Humboldt - To make 6 presentations of Management Course	35,000
CSU, San Jose - To make 3 presentations of Management Course	17,500
CPOA - Develop copies of New Law Manual and presentation of 16 one-day courses	30,000
Total	309,810
<u>Contracts Awaiting Action</u>	
DOJ - Training proposal includes 19 courses for a total of 106 presentations	502,376
CSTI - Training proposal includes 5 courses for a total of 53 presentations	352,246
Grand Total	1,164,432

NOTE: Fiscal Year 78/79 budget projected \$800,000 for Aid to Local Government contracts. An increase in the contractual estimate will impact long-range reimbursement plan indicated in the Reimbursement Study for F.Y. 78/79.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title BASIC TRAINING DISCUSSION		Meeting Date January 26-27, 1978
Division Executive Office	Division Director Approval	Researched By
Executive Director Approval <i>W. P. Sullivan</i>	Date of Approval <i>January 3, 1978</i>	Date of Report December 27, 1977
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact		Yes (See Analysis per details) <input checked="" type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

BASIC TRAINING DISCUSSION PAPER

Historically, it has been the practice of California law enforcement to hire untrained recruit officers. Recently, however, there are increasing numbers of departments which prefer to hire the non-employed graduates of community college basic courses, lateral entrants from other states, or those applicants who have acquired equivalent training, i.e., reserve officers.

Prior to 1970, low police salaries, shorter basic academies, insufficient police officer applicants, and a relatively liberal peace officer training fund made the practice of hire first-train later a desirable procedure. Today there is increasing concern for the higher costs and the relatively lower revenues available to all government agencies, including POST. These financial realities plus evolving changes in employee recruitment practices indicate it may be time for the Commission to look for ways to change or modify its reimbursement for basic training. For instance, seven years ago:

- o The average cost for each Basic Trainee was \$900.41. Today POST reimburses an average of \$1,802.71 + 100%.
- o The POST fund generated \$8.2 million. Last Fiscal Year's return was \$12.5 million + 35%.
- o Cities and counties were actively engaged in recruitment drives to attract sufficient qualified applicants to law enforcement positions. Today there is an average of 100 applicants for each available law enforcement job, most of whom are better qualified than those recruited in 1970.

Obviously, a greater apportioned share of the Peace Officer Training Fund is being invested in the recruit trainee today than seven years ago. For some reason, this has evolved even at a time when the supply and demand for law enforcement jobs have been reversed.

A number of alternatives exist which could save both law enforcement agencies and POST a considerable amount of money for basic training. Two of these are presented below for the purpose of discussion.

Reduce Wages of Recruit Officers During Training

The starting hourly salaries of California peace officers varies from \$3.24 to \$7.63. Entry level is the one time in every peace officer's career when, notwithstanding the hiring agency, all are doing a comparable job. Even the risks are the same--the most dangerous being to fail the academy. If the cities and counties could be convinced by the Commission to reduce these salaries while the employee attends the basic academy, there would not only be monetary savings but greater equity for both trainee and government entities. For instance, surmise that each trainee were paid \$750 a month while attending the 400-hour, reimbursable portion of the academy. Based on the present 60% salary reimbursement policy, the Los Angeles Police Department would save \$953 per trainee or \$135,631 for the 145 recruits it trained last year. Similarly, the Kern County Sheriff's Department would save \$878 per trainee or \$16,682 for the 19 recruits it trained last year. The POST fund would realize \$693 per trainee or an estimated statewide cost reduction of \$1,393,175 per year.

Completion of the POST Required Basic Course Prior to Hire

The community college law enforcement academy system has rapidly acquired an ability to present more numerous traditional, intensive format basic classes and is interested in adapting the course to a semester presentation format. In a relatively short period of time (2 to 3 years estimated), these academies could turn out a sufficient candidate pool for all peace officer jobs in the state. Some of the advantages would be:

- o Funds now applied to the 400 hours of reimbursable training (nearly \$3,700,000) would be available for reimbursement of agency-specific basic training (this refers to the training given by many academies over and above that required by POST).
- o Eliminate local government salary and benefit costs and greatly reduce selection process costs for cities, counties, and law enforcement agencies by screening down applicants to those who have completed the POST basic course. Or, as an alternative, screen out those who are not willing to obtain the training on their own after some type of pre-employment testing or counseling by the law enforcement agency.
- o Aid in the evolution of the law enforcement basic training system whereby the community colleges, under POST direction, would produce entry-level courses for regular, specialized, and reserve officers on a continuous basis.

In addition, many, if not most, agency administrators are concerned about the time required to put a recruit through the academy. This time period has increased since 1970 from an average of 389 hours to nearly 600 today. The new, revised basic course appears to be placing even greater demands on academies to extend instructional time in order to turn out a satisfactory recruit. The system described above would tend to allow adding necessary instructional hours to the course without

penalizing the hiring agency. The community college academies desire to extend the instructional time because they generate ADA as compensation. Conversely, most law enforcement agencies want to put the recruit on the street as soon as possible.

If the Commission is desirous of pursuing these or other alternates to basic training, staff will be happy to develop additional data, confer with interested organizations, or carry out any directions.

BASIC COURSE ATTENDANCE CHART
1976/77

<u>Number of Basic Course Attendees</u>	2,884
Reimbursed	2,009
Not Reimbursed	875

	<u>Totals</u>	<u>Reimbursed</u>	<u>*Not Reimbursed</u>
Agency Academies (13)	1468 (51%)	1147 (79%)	321 (21%)
College Academies (14)	1416 (49%)	<u>862</u> (60%)	<u>554</u> (40%)

*Distribution of Trainees Not Reimbursed

	<u>Pre-Service</u>	<u>Specialized Program</u>	<u>Reserves, CETA Part-time</u>	<u>Other Law Enforcement Affiliation</u>
Agency Academies	76	36	120	89
College Academies	227	35	202	90

	<u>Totals</u>	<u>Reimbursed</u>	<u>*Not Reimbursed</u>
Non-ADA Academies (3)	589 (20%)	548 (93%)	41 (7%)
ADA Academies (24)	2295 (80%)	1461 (64%)	834 (36%)

*Distribution of Trainees Not Reimbursed

	<u>Pre-Service</u>	<u>Specialized Program</u>	<u>Reserves, CETA Part-time</u>	<u>Other Law Enforcement Affiliation</u>
Non-ADA Academies	0	1	2	38
ADA Academies	303	70	320	141

Memorandum

To : COMMISSIONERS

Date : December 15, 1977

Bill Kolender and Kay Holloway, Co-Chairmen
Consortium Committee to Study Basic Course
Completion Requirements

From : Commission on Peace Officer Standards and Training

Subject: RECOMMENDATIONS FROM COMMITTEE MEETING ON NOVEMBER 29, 1977

The Committee at its meeting reviewed staff prepared analysis and potential alternatives for change. There was Committee agreement that the following major concerns exist:

1. The disparity between the length of the POST requirement (200 hours) and courses actually presented (400 plus) stimulates efforts to avoid sending recruit officers to certified courses by seeking equivalency waivers.
2. The difference in subject matter between the POST required course and courses presented causes confusion when recruits fail the academy but successfully complete the POST required subject matter.

By consensus the Committee agreed to recommend the following courses of action to the Commission.

Upgrading the POST Basic Course

Recommendation: Using the Revised Basic Course Outline as a guide, upgrade the existing POST minimum basic course as to minimum hours and require that the performance objectives be used as an instructional methodology only.

The Committee's preference is to upgrade the minimum course length to 400 hours. There was agreement, however, that course length should be further reviewed by the Basic Course Revision Consortium. Our Committee will meet again on January 25, 1978, to review additional input from the academy directors on course length and review a more refined version of the proposed new basic course outline. After that meeting we may be able to recommend a specific new basic course for adoption by the Commission.

Certification of the Basic Course

Recommendations:

- Exclude locally determined elective subject matter from inclusion under certification of presentations of the basic course.
- Approve elective curriculum for basic training under separate certification.

The Committee believed these changes in certification desirable to eliminate potential for students to fail the certified course while passing all POST minimum requirements.

Physical Training in the Basic Course

Recommendations:

- Recognize academy advisory committees' recommended physical training as elective segments in addition to the certified basic course.
- Conduct a thorough study regarding the feasibility of implementing a graded or pass/fail physical training component that meets EEOC requirements.

Basic Course Equivalency Waiver Process

Recommendation: Withhold a decision and request further study of alternatives or of the entire equivalency problem.

Minutes of the November 29 meeting are attached.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

CONSORTIUM COMMITTEE TO STUDY BASIC COURSE
COMPLETION REQUIREMENTS

MINUTES

November 29, 1977

San Diego

The meeting was called to order at 10:05 a.m. on Tuesday, November 29, 1977,
by Co-Chairman William Kolender.

COMMITTEE MEMBERS PRESENT

Commissioner William Kolender	(Co-Chairman)
Commissioner Kay Holloway	(Co-Chairman)
Commissioner Jake Jackson	
Commissioner Edwin McCauley	
George Tielsch	Advisory Committee Member
William Fradenburg	"
Jack Pearson	"
Dale Rickford	"
Alex Pantaleoni	"
Win Silva	"
Wayne Caldwell	"
Jesse Brewer	Los Angeles Police Department

COMMITTEE MEMBERS ABSENT

Jim Grant	Advisory Committee Member
Robert Wasserman	"

GUESTS PRESENT

John Riordan	Sergeant, San Rafael P.D. - PORAC
Arthur LeBlanc	Chief of Police, Coronado P.D.
David A. Baxter	St Louis, Missouri
Joseph McKeown	Contra Costa Criminal Justice Training Center
Mike Rice	Captain, San Diego Police Department

STAFF PRESENT

William R. Garlington	Executive Director
Brad Koch	Director, Standards and Training Division
Otto Saltenberger	Director, Administration Division
Gerald Townsend	Director, Executive Office

Bobby Richardson	Bureau Chief, Standards and Training Division
George Williams	Bureau Chief, Administration Division
Glen E. Fine	Bureau Chief, Executive Office
Georgia Pinola	Recording Secretary

ROLE OF POST, LAW ENFORCEMENT EMPLOYERS, AND THE TRAINING ACADEMIES

As an aid to subsequent discussion, the Committee members were asked to develop a consensus view of these roles. Role Statements prepared by staff were reviewed and discussed. Considerable discussion was devoted to the role of the training academies and specifically to whether the academies should play a role in selection of recruit officers.

The Committee, by consensus, approved the role statements (see attached) with the stipulation that approval was only for purposes of the study under discussion.

BASIC COURSE COMPLETION REQUIREMENTS

The Committee reviewed the background of existing problems and was in agreement that change in POST's minimum requirements for training should be implemented. The essential reasons for concern with POST's existing basic training requirement were:

1. The disparity between the length of the POST requirement (200 hours) and courses actually presented (400 plus) stimulates efforts to avoid sending recruit officers to certified courses by seeking equivalency waivers.
2. The difference in subject matter between the POST required course and courses presented causes confusion when recruits fail the academy but successfully complete the POST required subject matter.

Upgrading the POST Basic Course

The Committee reviewed staff analysis of the problem and by consensus agreed that Alternative 1, Option D, should be adopted by the Commission. This recommended option reads as follows:

Using the Revised Basic Course Outline as a guide, upgrade the existing POST minimum basic course as to minimum hours and require that the performance objectives be used as an instructional methodology only.

The Committee, also by consensus, expressed a preference for establishing a minimum length of 400 hours for the Revised Basic Course. The Committee reviewed a staff-suggested outline of the Revised Basic Course which was based upon the learning goals developed during the Basic Course Revision Project. This outline contained a tentative and partial estimate of minimum hours for instruction. There was agreement with the suggestion of Bill Garlington, Executive Director, that this outline be further reviewed by the

Basic Course Revision Consortium and a firmer estimate of minimum hours established.

There was Committee consensus that the performance objectives developed as part of the Basic Course Revision Project should not be required by POST at this time. Implementation of the performance objectives was believed untimely because controversy continues to exist over individual performance objectives, and all academies are not currently prepared to teach all performance objectives. It was agreed that the course of action recommended above would require that only the instructional methodology inherent in the performance objectives approach be utilized by presenters of the basic course.

Certification of the Basic Course

Alternative 2, which called for a review of whether elective subject matter should continue to be certified as part of "the Basic Course", was discussed by the Committee. If a change in certification was implemented, it would eliminate a concern that currently exists over basic course completion requirements. Elective subject matter could be taught under separate certification in the basic academy. "The Basic Course" as required by POST would be certified separately, eliminating possibility for the student to complete the POST requirements but fail the course.

Several Committee members expressed the view that this issue could not be resolved without first considering the special problem represented by physical training in the basic academy. After discussing physical training, the Committee completed discussion of the certification issue.

The majority believed that elective subject matter should be presented under separate POST certification. Members Ed McCauley and Jesse Brewer believed that elective subject matter should not be certified at all. There was apparent agreement, however, that certification of electives would enhance local training programs and facilitate identification of "training points" used by the officers to meet requirements for professional certificates.

PHYSICAL TRAINING IN THE BASIC COURSE

Considerable discussion was devoted to this topic. Central points for discussion were:

- Need for validation of physical training requirements that are pass/fail or otherwise graded.
- Concern for whether physical training should be used as a selection procedure in the training course.

A majority of the Committee members believed that physical training, in some form, should be continued in the basic course. After much discussion the Committee agreed by consensus to recommend the following revised alternatives to the Commission:

Recognize academy advisory committees' recommended physical training as elective segments in addition to the certified basic course.

Conduct a thorough study regarding the feasibility of implementing a graded or pass/fail physical training component that meets EEOC requirements.

BASIC COURSE EQUIVALENCY WAIVER PROCESS

The Committee was in agreement that:

1. At this time, some type of waiver provision should be maintained.
2. With implementation of changes proposed in the length of the basic course, the number of requests for waivers should be reduced in the future.

Current procedures and various alternatives for change were reviewed and discussed. By consensus the Committee recommended that the status quo be maintained for the present with additional study of the problem to be undertaken by staff. The alternative approved read as follows:

Withhold a decision and request further study of alternatives or of the entire equivalency problem.

During discussion Commissioner Holloway suggested that consideration be given to the development of a "mini" course for out-of-state lateral entrants that would enable them to conveniently satisfy legislatively mandated training requirements and California law requirements of the basic course.

Commissioner Jackson suggested that consideration be given to stronger reliance on testing to evaluate equivalent training.

FOLLOW-UP MEETING

Bill Garlington, Executive Director, suggested that the Committee meet again prior to the January Commission meeting to review a more final version of the proposed Revised Basic Course and to review minimum time requirements proposed by the Basic Course Revision Consortium. There was agreement that the Committee would meet on January 25, 1978, at 2 p.m., in San Diego.

The meeting was adjourned at 2:00 p.m.



GLEN E. FINE
POST Advisory Committee,
Executive Secretary

BASIC TRAINING ROLES OF POST, TRAINING ACADEMIES, AND LAW ENFORCEMENT EMPLOYERS

A report titled Basic Course Completion Requirements outlines issues and concerns about current requirements for basic training. An additional report describes problems associated with physical training requirements in POST certified basic courses. These reports have been written with an unstated but influencing perspective on the roles perceived to exist in the basic training process for POST, the academies presenting training, and the employers of those officers being trained. Before decisions are made regarding these issues, it might be advisable to agree on the role of each participant in the basic course process. The following is an outline which can be approved or changed to reflect the responsibilities of POST, the academies, and the employing agencies.

Role of POST

POST clearly has a legislative mandate to establish the minimum standard for basic training, and a mandate to arrange for presentation of the required training. The POST Basic Course is POST's statewide minimum standard. The process of certifying presentations of the basic course fulfills POST's obligation to arrange for presentations.

POST has assumed a posture of actively encouraging local departments to exceed the minimum standard. Encouragement is provided by reimbursing agencies for training beyond the minimum and by approving in the certification process optional training desired by local administrators.

POST is the primary agency responsible for law enforcement training standards and the supervision of a statewide training delivery system. POST policies, therefore, have an impact on all local and most of the State law enforcement agencies.

Role of Law Enforcement Employers

Employers have the exclusive right, subject to the standards imposed by POST and by law, to select individuals for employment. The employers' role includes an obligation to the employed officer and to the public to provide adequate job training.

The employing agency has certain mandatory training requirements imposed by State law and others, established by POST, which are voluntarily adhered to. Beyond these State level requirements, the employer is free to provide and require whatever training is locally desired.

Role of the Training Academies

The academies, agency operated and community college operated, have obligations to both the employing department(s) and to POST. They assume an obligation to present POST's required basic course and to carry out the terms of course certification while that certification remains in effect by mutual agreement. They also assume the obligation to adequately prepare the recruit officer in the training areas specified by POST and the department(s).

The academies are generally viewed as having a training role as opposed to a selection role. They accept those who have already been selected and train them. They are involved with selection only to the extent that they identify those who are unable or unwilling to acquire the requisite knowledge and proficiency, or in that they may find it necessary to expell from the academy those who demonstrate unacceptable conduct.

BASIC COURSE COMPLETION REQUIREMENTS

SUMMARY

POST's minimum standard of 200 hours for "The Basic Course" is considerably less and "The Basic Course" content differs in some areas from the certified basic courses being presented. In fact, the disparity is so great as to invite circumvention of the certified academy courses.

Upon request of administrators, POST will, through the BCEE process, waive completion of the certified course if a recruit has already completed the equivalent of the 200-hour minimum requirement.

POST does not require that recruits complete elective subject matter not included in POST's minimum requirement.

The essential question implied by the title of this report can be answered directly--satisfaction of the minimum requirements of the 200-hour basic course prescribed by POST constitutes completion of the POST basic training requirement. The answering of this question gives rise to another--should POST's requirement be changed, and if so, what change(s) should be implemented?

Alternatives

The facts and circumstances outlined in this report indicate the following are available alternatives:

1. Upgrade minimum requirements for "The Basic Course".
2. Revise and expand the subject matter scope of "The Basic Course".
3. With or without revision of the minimum course requirement, change POST's regulation concerning basic training to specify that a certified academy course shall be completed.
4. Maintain the status quo.
5. Combinations of the above.

Each alternative is described in attachments.

BASIC COURSE COMPLETION REQUIREMENTS

From the inception of the POST program, some basic academies have presented courses that have exceeded the minimum POST requirements for such courses. POST has always encouraged this and has for many years provided incentive by paying salary reimbursement for up to 400 hours of basic training while the minimum requirement remained 200 hours. Perhaps in part because of this financial incentive, all certified courses are currently 400 hours or longer. The POST minimum of 200 hours has remained unchanged pending completion of the Basic Course Revision Project.

Since all recruit training that follows the normal process (appointment as an officer followed by assignment to a basic academy for training) occurs at one of the certified basic courses, some people incorrectly believe POST policies have evolved to a de facto minimum standard of 400 hours for basic training. While the length of certified courses have increased at local option and with POST's approval, POST has continued a practice of waiving basic course attendance based upon completion of equivalent training. Equivalency evaluations and testing (BCEE) are and have been based upon POST's standing 200-hour minimum requirement.

Equivalency evaluations are normally conducted only at the request of department heads and generally involve individuals who completed a basic course out-of-state or an instate police reserve course.

Several equivalency requests were recently approved where the officer's training was received at a POST certified academy. In each instance, the officer was failed in the academy for physical training deficiencies. In each instance, an equivalency waiver was requested by the officer's employer. In each instance, the officer's completed training surpassed the 200 hours required by POST. The failed physical training segment of the course is not required by POST.

In the past, POST has received criticism from some quarters for granting equivalency to those who completed a reserve course because their training was less than normally received by officers attending certified academies. POST has also been criticized for its recent action in granting equivalency to those who failed physical training requirements of the local academies. This criticism has been especially keen from those who staunchly favor pass/fail physical training and those who believe POST's action dilutes the authority and role of the academy.

From these circumstances, the following generalizations and conclusions can be made:

- The minimum basic training standard for purposes of compliance with legal and POST requirements remains the 200-hour course.
- An individual may satisfy the POST minimum training requirement through attendance at non-certified courses.

- For purposes of compliance with POST training requirements, an individual may fail or need not complete portions of an academy not required by POST.
- POST policy continues to provide for equivalency evaluations, but only upon request of a department head.
- A pre-service student or recruit officer who has satisfactorily completed POST minimum training is eligible for employment and subsequent certification by POST even though a basic course was not completed. But, though he/she may be eligible, no employer is required to hire or retain them.

The problems presented seem to fit into both a general and two specific categories. The specific categories are physical training, and equivalency evaluations and testing. They are discussed in separate, attached reports.

The more general problem includes the broad ramifications of the disparity between POST minimum requirements and the requirements of individual certified courses. The problem encompasses ongoing equivalency requests for training received outside the certified basic courses, and such requests that may arise from those who fail to satisfy elective requirements of the certified basic courses. Some, including academy directors, have advocated that POST cease conducting equivalency evaluations and require that all recruits actually complete a certified basic course. This view is fostered by the belief that:

- The 200-hour POST minimum course is woefully inadequate and those possessing only this minimum should not be allowed to practice as peace officers.
- The disparity between POST's minimum requirement and the minimum hours actually taught in all certified courses is so great as to encourage some administrators and students to find ways to circumvent certified basic academy training.

Completion of the certified basic academy has been circumvented by some administrators who adopt a selection practice of hiring reserves who have completed a reserve course that includes POST's 200-hour minimum requirement. Upon appointment of the reserves they seek and obtain a waiver by claiming completion of equivalent basic training. In some instances, administrators have assigned new officers after hire to attend a reserve course with the same purpose in mind.

It has been speculated that "open enrollment" students may in the future attempt to drop attendance at an academy upon completion of those portions including POST minimums and request a formal statement that they have completed the training required for peace officers.

Some academy directors, distressed at these prospects as well as by the employment of those who have failed physical training, have proposed that POST require that all recruit officers successfully complete a certified basic course.

Analysis of the circumstances indicates that most current objections and difficulties would be removed if the POST 200-hour basic training requirement was upgraded to a level at or above the number of hours currently contained in certified courses. POST has been urged for several years to increase the requirement. POST staff has long believed that the requirement should be upgraded. Change has only been withheld pending completion of the Basic Course Revision Project. The present circumstances indicate that POST should consider revising the 200-hour minimum requirement at this time.

Adding to the need to examine the 200-hour requirement is POST's current obligation to specify minimum training standards for police reserves. Many reserves currently receive more training than POST minimally requires for regulars. POST surely will be urged by some to require that the reserve who works alone complete training equal to that required of regular officers. POST can best deal with that issue if it knows what training is going to be required of the regular officer under the revised basic course.

When considering revision of the 200-hour training requirement, attention should also be given to whether elective subject matter now included in local academies should be adopted as part of the POST minimum requirements or excluded from certification in the basic course. There would be less potential for future confusion and conflict if subject matter content of local basic academies and POST's required course were the same. Besides physical training, elective subject matter in one or more certified basic courses currently includes a wide variety of instructional topics such as:

- Officer survival
- Stress training
- Hostage negotiation
- Crime prevention
- Swimming
- Spanish language
- English
- Jail operations
- Disaster training
- Team policing
- Helicopter coordination

A complete analysis of elective training has not been made. A complete list of elective subjects would likely reveal a great many additional topics.

ALTERNATIVE #1

REVISE AND UPGRADE THE LENGTH OF POST'S MINIMUM BASIC COURSE

Many of the concerns outlined in this report would be alleviated by simply making the length of the POST minimum course more compatible with the length of courses actually presented. As previously stated, the 200-hour minimum requirement has not previously been changed pending completion of the Basic Course Revision Project.

Should a decision be made at this time to upgrade the minimum basic training requirement, the options on the following pages are available.

OPTION A

Adopt the basic course performance objectives as the new requirement without specification regarding course hours.

This option would mandate attainment of all performance objectives by trainees and would allow each academy to decide how much time must be expended on the training. This would also allow the academies to develop self-paced programs for individual students.

Since hours of instruction would not be associated with the requirement, POST would likely change its method of reimbursement for basic training and pay a fixed sum for the training of each officer. Since completion of minimum hours would no longer be a requirement, POST would rely upon performance objective success criteria and academy coordinators to assess satisfaction of minimum requirements.

A great advantage of this option lies in the potential for individualized progress through the academy. Apparently, however, most academies appear unable to implement this feature at this time.

A significant potential disadvantage of this approach is loss of flexibility on the part of both POST and training academies. Over 600 very specific learning goals and performance objectives would be collectively and individually mandated for all presenters of the basic course. Additions and deletions would require Commission action. Individual academies might have to accept a specific performance objective to which it objects.

A possible obstacle to implementing this alternative is inability of academies to provide the performance objectives based training at this time. Conversion of some academies to performance objectives methodology is occurring at this time, and a consortium of academy directors is continuing review with POST staff. How soon all academies may be geared up to present performance objectives training is a question that must be addressed if this alternative is to be considered feasible.

OPTION B

Adopt the performance objectives as POST's minimum required course and specify an arbitrary minimum number of hours for completion of the course.

Obviously, discussion points under Option A relative to performance objectives per se apply equally here. The assignment of minimum number of hours for the course would provide a basis for reimbursement compatible with the existing reimbursement scheme. The routine task of assessing satisfaction of POST minimums would be facilitated with the minimum hours requirement.

An arbitrary determination of minimum hours has some attraction because the minimum number of hours could be established most easily in that manner. If the increased minimum were compatible with prevailing practice (i.e., 400 hours) there would likely be little adverse reaction.

The problem with an arbitrary determination of minimum hours lies in an obvious area. The lack of substantive study and rationale could make the requirement subject to attack and criticism. The claims of some that the requirement would be grossly excessive or deficient could not easily be rebutted.

OPTION C

Adopt the performance objectives as the required course and specify minimum hours for subject areas and for the entire course based upon intensive staff study of hourly requirements.

Observations made about Option B are generally applicable here.

Under this option, satisfaction of the performance objectives would be required and minimum hours for instruction would be specified. The difference between this option and Option B would lie in the determination of minimum hours based upon staff study rather than an arbitrary determination.

Difficulties associated with this approach would primarily be those involved with the staff study. It would require a substantial amount of staff time. Additionally, the analysis of time requirements would of necessity be somewhat subjective.

Weighing on the side of conducting such a study by staff is the potential for substantial justification of minimum hourly requirements and the greater assurance of reasonable accuracy in projecting minimum training needs. The study would also be made easier by virtue of the ongoing effort in some of the academies to evaluate time required for instruction.

OPTION D

Using the performance objectives as a guide, upgrade the existing POST minimum basic course as to minimum hours and require that the performance objectives be used as an instructional methodology only.

This approach would be a variation of Option C. Staff study would still be relied upon in establishing minimum hour requirements. The main difference would be that attainment of each performance objective by each student would not be mandated.

This option could be viewed as advantageous at this time considering lack of finality of the performance objectives and the technical difficulties associated with inspecting for compliance with each performance objective. The performance objectives would still be used but would be required only as a performance oriented approach to training.

OPTION E

Upgrade the minimum hours required in the existing POST minimum basic course and withhold adoption of the performance objectives until a later time.

This option would be Option D without mandating performance objectives in any fashion. This option would only appear attractive if it is believed premature to implement the performance objectives at this time.

ALTERNATIVE #2

REVISE THE SUBJECT MATTER CONTENT OF THE PRESENT POST MINIMUM BASIC COURSE

If changes in the basic course were made under the various options of Alternative #1, some changes in subject matter content would be made. Alternative #2 is presented separately in order to examine the feasibility of including in the POST minimum course certain elective subject matter currently presented in local academies. These electives would be subject matter not provided for in either POST's current minimum course or in the revised basic course.

The essential purpose of examining this alternative is to provide a basis for decision relative to the disparity between local academy requirements and POST minimum requirements. As long as these requirements differ by subject matter, there is potential for students to fail the elective subject and still be eligible for employment and subsequent certification by POST.

As described previously, a wide variety of elective subjects are currently required by one or more local academies.

Optional approaches in this category appear limited. POST can either maintain its present policy or attempt change to make its required subject matter content the same or more close to the same as taught in the academies.

Status Quo

In general terms, POST could consider that its role is to establish and maintain minimum requirements on a statewide basis only. POST could then continue to leave elective subject matter determinations to the local academies and involve itself with evaluation of such subject matter only during the course certification process.

If this approach were followed, POST would consider failure of a student in an elective area to be irrelevant to its standards setting and standards enforcement role. Potential would remain for the trainee to fail a certified course, yet satisfactorily comply with POST requirements.

Revised Subject Matter Content

POST could consider its role to include the promulgation of uniformity in basic course presentations and consider it essential that local academies present only subject matter required by POST.

If this approach were followed, POST would thoroughly review the statewide need for elective subject matter currently being taught. Subject matter deemed appropriate would be incorporated into POST's required basic course. Subject matter not deemed to meet statewide needs would not be authorized for presentation in the basic course.

Such action by POST would not preclude local academies from teaching such elective subjects, nor would it even preclude certification of such training. It would simply preclude the subject matter from being taught in the Basic Course. Such subjects could be certified as separate courses.

The advantage of this option would be removal of subject matter disparity between POST's required basic course and basic courses presented at the various academies. It would eliminate the consternation experienced by academy personnel if a student who is failed is subsequently certified by POST. POST's requirements and all of the academy requirements would be the same with respect to subject matter. Only the number of hours devoted to specific subjects would vary.

The difficulties with this option would be procedural ones associated with presentation of basic training. Potentially greater numbers of course certification actions could be involved. If the Commission approved, greater amounts of money might actually be expended for entry level training.

ALTERNATIVE #3

CHANGE POST REGULATION 1005 AND SPECIFY THAT ALL TRAINEES MUST COMPLETE A CERTIFIED BASIC COURSE

If this alternative were adopted, POST would fulfill its minimum training standards responsibility by merely ensuring a minimum content in each academy's basic course. Each academy would be free, subject to the certification process, to present any elective subject matter desired and to exceed the POST minimum with as lengthy a course as desired by its department or local advisory board.

Under this alternative, a trainee who failed a course for any reason would be ineligible for employment (lacking completed training necessary to exercise peace officer authority). When POST certified the basic course presentation containing elective subject matter, it would mandate that subject matter as a minimum training standard.

This option would maximize local control of academy training content and strengthen the role of the academies in the selection process.

Pertinent to the general issue under discussion, the alternative would resolve the issue of "what should constitute completion of the POST minimum basic training requirement". Completion of POST's requirement would be synonymous with completion of any certified basic course (this result is also feasible under Alternative #2).

Predicably, however, POST would receive appeals from local law enforcement administrators. If, for example, a trainee failed an elective portion only of a large agency's academy, but passed all other portions of the academy, the trainee might still apply for employment in some other department. That department's administrator might desire to hire the individual and seek to avoid sending him through an academy all over again. The administrator might argue successful completion of all phases of the course except for one elective area--and point out that in his region that elective is not even taught. Under this alternative, POST would lose the flexibility to waive any further basic training. The only course of action under such a regulation would be enrollment in another academy.

A legal question could also be raised. Would assuring minimum content in basic courses satisfy POST's legislative mandate to "set minimum standards for training", or does the mandate imply an effective minimum for employment purposes? Certainly, under this alternative, the actual training standard for employment purposes would be set jointly by POST and each individual academy when a course was certified. And, presumably, there could be as many minimum training standards as there are academies.

POST currently requires other courses of training: supervisory, management, and advanced officer. Adoption of this alternative would set a precedent that could be applied to the minimum standard for training in these other areas in the future.

Additionally, POST is now called upon to set minimum standards for training reserves. POST would also have to consider the impact of this alternative on that training standards obligation.

ALTERNATIVE #4

MAINTAIN THE STATUS QUO

This alternative would appear attractive if no other alternative seems feasible at the present time.

The actual problems currently experienced relate to physical training. If that single issue were resolved, other similar problems might not surface for some time. However, with a view to the future, it seems probable that those similar problems will surely occur. Additionally, the current level of requests for waivers of basic training based upon reserve training must be viewed as an ongoing problem associated with the disparity between certified academy length and length of the POST minimum required course.

PHYSICAL TRAINING REQUIREMENTS IN CERTIFIED BASIC ACADEMIES

Background

POST has received several appeals from decisions by Community College Basic Academy Directors to fail basic course trainees for physical performance deficiencies. In each instance, the concerned academy's policy precludes completion of the overall basic course if the physical training segment is failed. Those appealing had successfully passed other phases of the course. POST, after reviewing the appeals, concluded that the trainees involved had satisfactorily complied with POST's minimum requirements for basic training as outlined in Section D, POST Administrative Manual. Correspondence is attached which serves to explain the circumstances and POST's action on such appeals.

These academy failures became matters of appeal and concern because:

- Each student had satisfactorily completed all phases of the academy except the physical training portion.
- Chiefs of Police wished to retain the trainees as peace officer employees.
- POST's mandated minimum training curriculum does not include physical training.

Academy Directors were concerned with POST's decision that minimum training requirements were satisfactorily completed. They believed that the role and authority of the local academy advisory board was seriously undermined. They had apparently assumed that POST's minimum training standard required actual completion of the course. In fact, issues of this nature had simply never surfaced before as specific appeals. The nature of POST's basic training requirement and some analysis of the general problem is presented in a separate report titled Basic Course Completion Requirements.

This report is prepared as a special study because of the greater concern for and emphasis placed on physical training by administrators, and because this issue generated the overall concern regarding basic course completion requirements.

Analysis

The emphasis that law enforcement administrators and trainers place on physical training is reflected by the following statistics:

- Academies requiring physical training in the Basic Course:

25 out of 27

- Range of hours currently devoted to physical training in Basic Academies: 16 to 90
- Average number of hours devoted to physical training: 46
- Academies with a pass/fail grading procedure for physical training: 5

The level and extent of physical training occurring clearly indicates a perception of need for such training. The reasons for this perceived need are less clear. It may be assumed that the reasons relate to both preparation of the trainee to perform in physical aspects of the job and to selection screening of trainees. Obviously, some academies are playing a stronger role in selection screening than others. Critical to resolving the physical training issues will be decisions regarding whether the academies' role should emphasize selection screening for physical ability, and, if not, whether there is substantial need for physical training in the basic course.

In considering the issue, it is important to note that several basic alternative modes of physical training are possible:

1. Non-graded physical conditioning program to prepare the trainee to perform on-the-job.
2. Non-graded physical conditioning program designed only to prepare the trainee for other academy training requiring physical exertion (i.e., self-defense, use of restraining holds, etc.).
3. An absolute pass/fail physical training component designed to screen out those deemed to have inadequate physical ability for job performance.
4. A graded physical training component of the course that is designed to teach the recruit how to perform physical tasks on-the-job.
5. Combinations of the above.

POST could decide to:

- Include one of these alternative forms as a part of its mandated minimum basic course,
- Give support to the academies in the development and presentation of physical training but decline to require it, or
- Decline to require or lend support in any fashion to physical training.

If POST decided to support the concept only of physical training in the academies, such support could take the form of staff assistance in developing suggested programs, a validation study to examine EEO impact and requirements, and reimbursement for physical training.

If POST decided to include physical training as a part of the required basic course, the form that such training should take would have to be determined. Of the approaches outlined above, the first two, emphasizing a non-graded conditioning program, could be more easily justified. The third and fourth approaches would require greater justification and additional staff study. The training academy is a part of the selection process and a graded physical training program in the academy constitutes an employment test under EEOC guidelines. EEOC guidelines require that such tests be validated. The POST Commission would likely be reluctant to require such a physical training standard without considering the adverse impact and validation issues.

Finally, in deciding upon a response to this issue, POST must specifically consider the financial implications. In some academies, POST is currently reimbursing for physical training because it is part of the 400 hours for which reimbursement is allowable. Should POST decide to require physical training in the basic course, it would have to determine what kind and how much and probably reimburse for it. Should POST decide not to require but allow physical training as an option, it would still have to decide whether to reimburse. The current level of physical training would cost POST approximately \$600,000 if all were reimbursed.

Alternatives

Options available to POST with respect to physical training in the basic course as an issue appear to be:

1. Maintain the status quo.
2. Decline to support physical training through certification or reimbursement.
3. Approve academy advisory committees' recommended physical training as non-graded elective segments of certified basic courses.
4. Approve a non-graded physical conditioning program as part of the required basic course.
5. Conduct a thorough study regarding the feasibility of implementing a graded or pass/fail physical training component that meets EEOC requirements.
6. Combinations of above.

Funding Alternatives

Should any option above be approved that served to continue physical training in some fashion as part of basic course curriculum, the Commission could:

1. Allow reimbursement for physical training to the extent that it may be included in the existing 400-hour reimbursement maximum (status quo).
2. Decline to reimburse for physical training even though it is an approved portion of a certified course.
3. Reimburse only for a certain agreed upon number of hours of a type of physical training or physical conditioning approved by the Commission.

BASIC COURSE EQUIVALENCY EVALUATIONS AND TESTING

A separate report titled Basic Course Completion Requirements describes the disparity between POST's minimum required basic course and certified courses actually presented by local academies. That report describes how this disparity results in requests for equivalency evaluations and waivers. Should certain alternatives for change outlined in that report be implemented, the number of requests for waivers would be substantially reduced. With or without such changes, however, the equivalency evaluation and testing procedures remain an alternative means of satisfying the basic training requirement. For that reason, an examination of the basic course completion requirements would be incomplete without a review of the waiver process.

The equivalency evaluation and testing procedures also require review because of the following issues:

1. Questions have been raised about the quality of training received by recruits who were trained outside the POST certified academies.
2. The equivalency evaluation process includes administration by staff of a Basic Course Equivalency Examination (BCEE), a multiple choice test. Questions have been raised about the adequacy and appropriateness of this test.
3. The basis for equivalency evaluations is POST Regulation 1008 which provides for the waiver of required training based upon documented evidence of equivalent training. Difficulties arise in determining what actually amounts to equivalent training.
4. Recent legislation requires POST to set training standards for police reserves. Some future demand will inevitably arise for waiver of required reserve training based upon completion of equivalent training.
5. The legislation requiring selection training standards for reserves permits POST to use "proficiency testing" to satisfy reserve training standards. The relationship of such testing to the use of the current BCEE may have to be examined.

POST staff will evaluate requests for waivers of the basic course based upon documented evidence of completion of equivalent training. Such evaluation will be made only upon request of department heads of law enforcement agencies.

Upon receipt of a proper request, POST staff reviews documents submitted to ascertain if training received seems to encompass the subject matter and scope required in the basic course. If the individual is considered to have deficiencies in one or more areas of the required training, the request for waiver is denied and the department notified of the reason. The individual may enroll in additional training to correct the deficiency and later have the request for waiver reconsidered.

Deficiencies in training can be made up by taking the required subject at an accredited college, or by enrolling in the portion of a certified basic course that covers that subject (some academies allow this type of limited enrollment--others do not).

Once POST staff is satisfied that documentation exists to cover all training required in the basic course, the individual is required in all cases to take the Basic Course Equivalency Examination. This examination consists of 400 multiple choice questions which were written by POST staff members. The questions were last revised approximately two years ago. The test is divided into 12 segments. Seventy percent (70%) is considered a passing score on each segment.

The tests are proctored and graded by POST consultants. If the individual successfully passes all segments of the test, a waiver of the basic course is granted.

If the individual fails one or more segments of the test, the department head is notified and waiver approval is withheld. Failure to pass a segment of the test is considered a subject matter deficiency which may be made up in the same manner as previously described (The individual may, as before the test, enroll in a course or courses at an accredited college or take the required subject area(s) at a cooperative academy.). If the deficiencies disclosed through test failure are corrected by completion of additional training, no further testing is required, and a waiver is granted.

Statistics have not been maintained in the past on equivalency evaluations. A cursory analysis indicates that 25 to 35 requests per month are currently received for waiver of the basic course. Approximately 40% of these requests appear to merit a waiver under existing guidelines, and therefore qualify for administration of the Basic Course Equivalency Examination. Many, perhaps a majority, of those who take the test fail to pass one or more segments and make-up training is required. The great majority of those for whom waivers are requested received their prior training in out-of-state academies or in California reserve academies.

It should also be recognized that some peace officer personnel move laterally from the "specialized" law enforcement agencies to police and sheriffs' departments. When this occurs, the personnel have frequently completed a POST certified "Specialized" Basic Course. The "specialized" basic may include all or substantial portions of the POST required basic course for police and sheriffs.

If specialized basic training included the POST 200-hour core, no further training is required. If it did not, the transferring officer is required to make up deficiencies in the manner previously described. The BCEE is not required in these instances if the officer holds a Specialized Basic Certificate. The approval process is not considered a waiver process in these instances because prior training was received at a POST certified course, and the individual already possessed a POST certificate.

A review of the equivalency evaluation process would not be adequate without emphasizing more clearly the problem of assessing equivalent training. POST's required basic course is described very briefly as Commission Procedure D1. Required subject matter is specified along with itemized sub-topics. In essence, the skeleton of the basic course is described. This description does not provide substantial guidance in determining what might be equivalent, nor has the Commission furnished additional guidelines.

When POST certifies presentations of the basic course, staff is assured that the required subjects are presented with appropriate depth and breadth and is able to evaluate the general quality of instruction. Because of this, staff considers completion of the basic course at a certified academy as de facto satisfaction of the basic training requirements.

Instruction presented at other than certified academies has always presented great difficulties for evaluation. Myriad issues have arisen and been resolved in the past by staff regarding what college and training courses within and without the state are equivalent.

In the early years of the POST program, the BCEE was developed to test the great many experienced officers in California who requested POST Basic Certificates and had not completed a basic training course. In those years, the BCEE was given only to those requesting who were employed before their departments joined the POST program.

Because of the difficulties and uncertainty of a "paper" evaluation of training, staff revised the BCEE and, as previously described, now requires the BCEE as a part of the waiver process.

After evaluating the basic course equivalency evaluation process, the Commission could decide that the process should remain the same, be altered, or be abolished. Since abolishment of the provision for waiver is a possible alternative, some projection of future need for a waiver process is necessary.

Peace officers from other states have always comprised a large percentage of those for whom waivers are requested. It can be assumed that California law enforcement agencies will continue to hire personnel with prior basic training in other states and that demand for waivers will continue. Some of these personnel will be chiefs of police and other ranking officers.

Since California law and POST Commission regulation requires basic training for lateral entrants from out-of-state, abolishment of the waiver process

would require all such personnel to attend a certified basic course. The contemplation of such a requirement causes two principal questions to arise:

- Is it defensible, reasonable, and politically feasible to require all officers, including chiefs of police, who were trained in out-of-state academies, to repeat all of that training in California courses?
- In terms of cost effectiveness, is it desirable to require retraining of officers with out-of-state experience and training?

If ultimately the answer to either question is no, there will be a perceived need to continue some provision for waiver of the basic course.

There will also likely continue in the future to be demands for equivalency evaluation based upon reserve training and training received in specialized academies. Whether equivalency waivers should remain available for such personnel is a decision to be made principally on the basis of efficiency. System wise, it is more efficient to require repetition of training (require the entire basic course be completed even though significant portions have already been completed), continue to allow "piecemeal" satisfaction of required training components, or alter the system to more easily accommodate individual component training?

Before outlining the available broad alternatives, it must be emphasized that should the Commission adopt and mandate the Basic Course Revision Performance Objectives, equivalent training will be extremely difficult to obtain. It could result in those academies certified to present the basic course being the only places where such training may be obtained.

Finally, it must be observed that the waiver process takes some time. If make up of deficiencies is required, a considerable time may lapse before a waiver is finally issued. This would be particularly so if deficiencies were made up through attendance at college courses. Where deficiency make up is required and the individual is already employed, violations of 832.3 PC and POST's 90-day limit for enrolling new hires in an academy may occur. POST staff is aware that these violations do infrequently occur, but in most cases the violation is tenuous as administrators are using the "loophole" of designation of the officers as reserves. This is a related problem that may not be resolved until that "loophole" is closed.

Alternative courses of action appear to be:

1. Maintain the status quo.
2. Abolish the entire provision for waiver of the basic course and require all recruits to attend a certified academy.
3. Maintain the waiver process as is but discontinue use of the BCEE.

4. Maintain the essential features of the current "paper" evaluation of equivalency, with or without the BCEE, but discontinue granting equivalency based on regular college courses. This would require that all training occur in law enforcement training academies. All subject matter make up would have to occur at a certified academy, thus placing greater emphasis on a standardized modular approach to basic course presentation by the academies. This would simplify equivalency evaluations. If a standardized modular course presentation were feasible, it could promote economies in the overall training system by avoiding duplication of prior training.
5. Establish equivalency screening panels of local law enforcement officials/law enforcement trainers to interview those for whom basic course waivers are requested. After "paper screening" indicates that an applicant has completed equivalent training, referral is made to a panel of experts. The panel would interview the applicant and pass judgment on his/her knowledge and the adequacy of prior training. The panel could make recommendations to POST regarding issuance of a waiver. This alternative could be employed with or without the use of the objective equivalency test.
6. Withhold a decision and request further study of alternatives or of the entire equivalency problem.

Other alternatives which involve increased emphasis on testing were considered. Those alternatives were not identified here because they are considered unfeasible (without enabling legislation) in light of Legislative Counsel's opinion regarding testing in lieu of legislatively required training.

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Revocation of Certificates		Meeting Date January 26/27, 1978
Division Administration	Division Director Approval Otto H. Saltenberger <i>OH</i>	Researched By George W. Williams <i>GW</i>
Executive Director Approval <i>W. J. ...</i>	Date of Approval 1-5-78	Date of Report January 4, 1978
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

ISSUE

Should the Professional Certificates issued by the Commission continue to be subject to revocation for cause, and, in effect, serve as licenses to perform peace officer responsibilities, or should these certificates serve only as awards for achievement.

ANALYSIS

At the July 29, 1977, meeting (see Attachment A) this matter was deferred so that the Attorney General could examine the legality of the Commission designating its certificates as awards of achievement. On December 1, 1977, Deputy Attorney General Robert L. Mukai stated that the issuance of certificates on this basis "... is consistent with the purpose stated in ... the Commission's Regulations and is within the powers conferred on the Commission by ... the Penal Code." He concluded, "... I perceive no reason that these certificates should not be regarded by the Commission as awards for achievement."

The alternatives presented to the Commission at the July meeting are still appropriate for consideration, they are:

ALTERNATIVES

- * Consider Professional Certificates to be awards for achievement and subject to denial or cancellation only if they are obtained through misrepresentation, fraud, or issuance due to administrative error.
- * Consider Professional Certificates to be de facto licenses and subject to denial or cancellation for the following causes: their being obtained through misrepresentation, fraud, issuance due to administrative error, conviction of a felony, or conviction of an offense involving moral turpitude as defined by the Commission.
- * The alternative above but delete as reasons for denial or cancellation either or both conviction of a felony and conviction of an offense involving moral turpitude as defined by the Commission.

Utilize reverse side if needed

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET			
Agenda Item Title Revocation of Basic Certificates		Meeting Date July 29, 1977	
Division Administration	Division Director Approval O. H. Saltenberger <i>OK</i>	Researched By George W. Williams <i>GW</i>	
Executive Director Approval <i>W. R. Salton</i>	Date of Approval July 6, 1977	Date of Report June 22, 1977	
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>			
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page ____).			
<p>ISSUE</p> <p>Should the Professional Certificates issued by the Commission continue to be subject to revocation for cause, and, in effect, serve as licenses to perform peace officer responsibilities, or should these certificates serve only as awards for achievement.</p> <p>ANALYSIS</p> <p>At the Advisory Committee Meeting on October 7 and 8, 1976, the following motion was adopted.</p> <p style="padding-left: 40px;">Motion by Jerome Lance, seconded by Sheriff Grant, that the Commission reconsider its existing regulations requiring revocation of the Basic Certificate for cause, and that the Commission clarify whether the Certificate is intended to be a form of a license to practice or a certificate of attainment.</p> <p>During the discussion of this issue, the Committee observed that if Professional Certificates are issued to merely recognize training and experience attainment, the Certificate should not be later revoked even if persons certified have been convicted of felonies. The Committee felt that if these certificates are intended to mean more than awards of achievement, then further explanation of the purpose of the certificates should be articulated. Finally, the Committee observed that if the certificates are intended to serve as a license then the Commission should assess its capability to administer a complete licensing program including the cancellation of certificates, and that such a program could grow to significant proportions and consume a large share of the Commission's resources.</p> <p>At the Advisory Committee Meeting of March 3 and 4, 1977, the consensus of the Committee, while again discussing this issue, was that Professional Certificates represent awards of achievement and are not licenses. The criteria for a license would be more stringent. It was also the consensus of the Committee that POST should not define its existing certificate as a license.</p> <p>Regulation 1011(b) and Procedure F-3 (see attachment 1) describe the circumstances and the related procedure to be used for the cancellation or recall of Professional Certificates. The procedure provides that following an investigation revealing</p>			

Utilize reverse side if needed

circumstances warranting revocation of a certificate that the certificate holder be notified that the certificate has been suspended and will be revoked on a date certain. The person is informed of the grounds for the proposed cancellation and is advised of the right to a hearing to appeal the cancellation.

Subsequent to the Commission's adoption of the revocation regulation and procedure, the California Supreme Court in *Skelly vs State Personnel Board*, stated, "Due process does not require---a full trial type evidentiary hearing prior to the initial taking of punitive action, but does require, as a minimum, removal safeguards, a notice of the proposed action, the reasons therefore, a copy of the charges and material upon which the action is based, and the right to respond, either orally or in writing, to the authority initially imposing discipline." (emphasis added) The Commission's revocation procedures, if such actions are to be continued, should be amended so as to comply with the *Skelly* guidelines so that the decision to revoke a certificate does not precede the hearing regarding the matter.

Recently POST asked the Attorney General several questions regarding the revocation of certificates; the following is a resume' of Attorney General Opinion (CV 76/170IL):

Revocation of an officer's certificate would impare or terminate the person's career in law enforcement.

The right to engage in a lawful occupation cannot be impaired without due notice and hearing.

Due process requires that a hearing be held and at a place that is not too remote.

The hearing process may be delegated and consist in the taking of evidence concerning the charges against the officer.

The decision regarding revocation is the ruling which is based upon evidence and is discretionary and, in the absence of expressed authorization, ordinarily cannot be delegated.

While Penal Code Section 13500 et seq. do not expressly authorize the Commission to make delegations under the expression of general powers it is implied the Commission has the authority to delegate the hearing function to a hearing officer with transcripts of the proceedings provided to each member of the Commission.

The decision as to what action is to be taken can be made by the Commission after its members have read the transcripts. (See attachment 2, AG Opinion CV 76/170IL)

Section 11500 et seq. of the California Government Code provide the procedure to be used in administrative adjudications. Attachment 3 depicts the key points in the adjudication process and the involved time intervals. This procedure complies with the *Skelly* guidelines and could serve as a model to be used in the amendment of the regulation regarding cancellation. Procedure F-3 provides that when in the opinion of a department head that a certificate should be cancelled or recalled, due to circumstances for recall listed in the Commission's Regulation, it is the department head's

responsibility to notify the Commission. Few departments in the state have implemented such a procedure and POST has not developed a form on which such notifications and necessary information may be transmitted. A systematic process has not been developed to provide POST with usable information/documents regarding every case in which an officer is convicted of a felony or convicted of an offense involving moral turpitude.

Since the establishment of the POST Certification Programs, approximately 88,000 certificates have been issued. An estimated 100 officers may possibly annually become involved in circumstances which could result in the cancellation of their certificates. Assuming that each revocation proceeding would necessitate the services of an administrative law judge, a hearing reporter, and an investigator, each for 8 hours; and the services related to transcript preparation of 3 hours; at the current rates for all such services, this would total approximately \$800. This amount would be increased to the extent that the persons performing these services would require reimbursement for travel and per diem and would be increased as well for POST staff who would also be involved, and necessitate travel and per diem expenditures. The cancellation of certificates procedure which may be adopted should apply to the Regular as well as the Specialized Programs. This may be easily accomplished by amendment of the Specialized Regulations so that the procedure for cancellation, for use in the Regular Program, also applies.

Consideration should be given to the concepts of cancellation vs recall in view of the fact that few certificates are actually surrendered as a result of the Commission having taken action as to achieve this end. In instances when an officer's certificate has actually been returned to the Commission this resulted (1) from the certificate holder's department head, after obtaining possession of the certificate, returning it to the Commission, (2) or upon demand, the certificate holder returning it to the Commission. In the majority of instances recalled certificates are not returned to the Commission. If cancellation and annulment of certificates were applied rather than recall, success in such dispositions could be easily achieved. The person could be notified that the certificate has been cancelled or annulled and that thenceforth it would be void.

There are a number of persons who believe that the Professional Certificates should represent recognition of the achievement or attainment of certain requirements or status and that once awarded should remain the property of the person and should no longer be subject to cancellation or recall except that they were awarded in error or through misrepresentation. In the judgment of these persons, POST Professional Certificates are analogous to diplomas or other awards for achievement.

Many persons believe that these certificates should not serve as de facto licenses for city and county peace officers to perform such services. They believe that if licensing of police is necessary and desirable that the appropriate legislation should be enacted to provide a fully articulated program which should include the qualification for issuance of licenses, periodic renewal of licenses and related procedures. If such a police licensing program were initiated through legislation and the Commission were made responsible for the program, this would aid in budgeting and the assignment of sufficient personnel to properly administer such activities.

It is anticipated that administrative hearings only involving circumstances which resulted in conviction of a felony can be handled expeditiously since the record of the conviction of the crime should be conclusive evidence of the fact that the conviction occurred. However, to determine if moral turpitude is involved in an offense of which a person was convicted, an inquiry into the circumstances surrounding the commission of the crime would be necessary.

It would be desirable that the Commission adopt criteria to be used when moral turpitude is the subject of an inquiry during an administrative hearing or when consideration of the decision to deny or cancel a certificate is an issue before the Commission. The criteria should articulate whether a crime or act is substantially related to the qualifications, functions, or duties of peace officers. Inquiries may be anticipated to be time-intensive when determining the involvement of moral turpitude and whether conviction of a crime involving such behavior is incompatible with the peace officer profession.

It appears reasonable to conclude, after reviewing the laws and procedures related to the denial or cancellation of certificates, that the period of time dating from the accusation of wrong doing by an officer to the point of cancellation of a certificate could involve several years. This time period would involve the criminal process, including appeals through denial or cancellation of the certificate, resulting from administrative hearings and related appeals. It is likely, except that a certificate could be legally suspended during this period of time (this alternative is not authorized by the Commission and is yet to be explored), that the person involved could seek and be employed as a peace officer. If the Commission were to suspend certificates of peace officers during the accusatory/adjudicative phase while awaiting disposition, the officers involved would be denied their livelihood, and if ultimately acquitted could initiate court actions to recover damages from the Commission. There is strong concern among many persons that the Commission not initiate a suspension or cancellation proceeding until the local administrative disposition or related criminal adjudication has occurred. To do otherwise, these persons hold, would cause the Commission to intrude into the internal affairs of local agencies; if not in fact to assume the major responsibility for disciplinary actions.

Government Code Section 1029 prevents any person who has been convicted of a felony from holding office or being employed as a peace officer. Thus it appears that if certificates are not to be deemed as awards for achievement and are subject to denial or cancellation for cause, that the reasons for denial or cancellation could be limited to circumstances where a certificate is applied for or obtained through misrepresentation, fraud, or where issued by administrative error. Moral turpitude, the fourth reason for denial or cancellation of certificates, may also be included. However, the definition of moral turpitude and conviction of its various manifestations being antipathetic to performance as a peace officer are contemporarily unsettled issues. The resolution of the eligibility for employment of persons convicted of crimes which involve moral turpitude may be best left to local authorities who may apply acceptable contemporary local standards.

If it is decided that the POST Basic Certificate is to serve as a de facto license, for persons affected by 832.4 P.C., to perform as peace officers, the Regulations and Procedures related to the Professional Certification Program should be amended to provide for notification to POST of both employment as a peace officer as well as the termination and perhaps suspension of such employment. Upon issuance, the certificate should bear the identity of the employing jurisdiction and remain in the custody of the employing jurisdiction during the course of such employment. Whenever the officer acquires new employment different than shown on his or her certificate, the officer should mark out the identity of the former employer on the face of the certificate and type or write the identity of the new employer in ink on the reverse side, and the date and initial same. No person certified as peace officer should be authorized to perform as a peace officer except for the jurisdiction stipulated on the certificate as issued or altered pursuant to Commission Regulations.

The adoption of this proposal would necessitate several things, i.e.: First, at least slightly altering the design or format of the Basic Certificate in order to provide for the inclusion of the identity of the employing jurisdiction. Second, the periodic reissuance of Basic Certificates, at least to account for the correct current employer information. This could come about as a pro forma result of the notification of employment being received concerning an already certificated officer. Third, the issuance and replacement of the already issued current basic certificates for persons presently employed as peace officers who are affected by Penal Code Section 832.4.

The adoption of this proposal would greatly simplify the procedure(s) necessary for POST in the administration of a de facto licensing program. POST would have reliable current information concerning the actual number of "licensed" officers in the State and their current employment affiliation. The proposal would establish reasonable control measures necessary to make the present simplistic certification program more workable and capable of accommodating the "licensing" mandated by 832.4 P.C. For example, POST would be aware of when officers have, through local disciplinary action, been terminated. While an individual is not employed as a peace officer or while terminated or suspended a person's "832.4 P.C. license" would become dormant. Locally controlled events related to employment/discipline would largely determine the status of these licenses.

This proposal would be compatible with the idea that certificates be cancelled or annulled, when this is necessary, rather than revoked. Under the proposal a person involved in such circumstances, although still in possession of a "license", would merely have a dormant document which has also been cancelled rather than as at present, on its face and unexpressed, an unsurrendered although "revoked" certificate.

ALTERNATIVES

- 1' = Consider Professional Certificates to be awards for achievement and subject to denial or cancellation only if they are obtained through misrepresentation, fraud, or issuance due to administrative error.
- 2' = Consider Professional Certificates to be de facto licenses and subject to denial or cancellation for the following causes: their being obtained through misrepresentation, fraud, issuance due to administrative error, conviction of a felony, or conviction of an offense involving moral turpitude as defined by the Commission.
- 3' = The alternative above but delete as reasons for denial or cancellation either or both conviction of a felony and conviction of an offense involving moral turpitude as defined by the Commission.

1011. Certificates and Awards

- (a) Certificates and awards may be presented by the Commission for the purpose of raising the level of competence of law enforcement and to foster cooperation among the Commission, agencies, groups, organizations, jurisdictions and individuals.
- (b) Certificates and awards remain the property of the Commission and the Commission shall have the power to cancel or recall any certificate or award when:
 - (1) the certificate was issued by administrative error;
 - (2) the certificate was obtained through misrepresentation or fraud;
 - (3) the holder has been convicted of any crime involving moral turpitude;
 - (4) the holder has been convicted of a felony; OR
 - (5) other due cause as determined by the Commission.
- (c) Basic, Intermediate, Advanced, Management and Executive Certificates are established for the purpose of fostering professionalization, education and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments, county sheriff departments, districts, or by the California Highway Patrol. Requirements for the Certificates are as prescribed in PAM, Section F, "Professional Certification Program".
- (d) Specialized Law Enforcement Certificates are established for the purpose of fostering professionalization, education and experience necessary to perform adequately the duties of specialized public law enforcement services such as those performed by special investigators, campus police, police officers of the California State Police Division, marshals, and such others as may be deemed appropriate by the Commission. Requirements for Specialized Law Enforcement Certificates are set forth in PAM, Section F, "Specialized Law Enforcement Certification Program".
- (e) Prior to the issuance of certificates by the Commission, the department head shall attest that every trainee/officer employed by the department has completed a period of satisfactory service of not less than 12 months. This requirement shall apply also to officers who enter a department laterally.

Rev. July 1, 1975

Professional Certificates

CANCELLATION AND RECALL OF PROFESSIONAL CERTIFICATES

Purpose

3-1. Cancellation of Professional Certificates: This Commission Procedure implements that portion of the Certificates and Awards Program, established in Section 1011 (a) and (b) of the Regulations, which provides for the cancellation and recall of POST professional certificates.

Cancellation and Recall

3-2. Rights to Cancel and Recall: Professional certificates remain the property of the Commission and the Commission reserves the right to cancel and recall any certificate when:

- a. the certificate was issued by administrative error;
- b. the certificate was obtained through misrepresentation or fraud;
- c. the holder has been convicted of any crime involving moral turpitude;
- d. the holder has been convicted of a felony; or
- e. other due cause as determined by the Commission.

3-3. Notification by Department Head: When in the opinion of a department head a certificate should be cancelled and recalled due to any of the conditions listed in paragraph 3-2 above, it shall be his responsibility to notify the Commission through the Executive Director.

3-4. Responsibility for Cancellation and Recall: The Executive Director is responsible for the cancellation and recall of POST professional certificates and the establishment of procedures to carry out this responsibility.

Investigation

3-5. Initiation of Investigation: When it is brought to the attention of the Commission that a professional certificate holder may have violated any applicable provision listed under "Cancellation and Recall," the Executive Director shall initiate an investigation. The department head shall be notified of the investigation.

3-6. Notification of Commission Action: If the facts of the case substantiate cause for cancellation and recall, the individual concerned shall be notified by registered mail that his professional certificate has been suspended and will be revoked on a date certain. The notice of suspension shall state the grounds of the proposed cancellation and advise the individual of his rights to appeal and the procedure for doing so. The department head of the concerned individual shall also be notified of the intended cancellation.

Appeal

3-7. Procedures for Appeal: If the subject of any proposed cancellation or recall action desires to appeal such action, he must notify the Commission of his intention to appeal within 30 days of his receipt of the notice of suspension.

- a. Within 30 days of receipt of the appeal notification, POST shall provide the individual with an extract of Section 1011 (b) of POST Regulations, and the POST Directives covering his certificate. In addition, he shall be notified of the date, time and location of the Commission hearing on the cancellation and recall action.

Attachment 1 b.

CP F-3

July 1, 1975

Procedures for Appeal (continued)

- b. Unless otherwise stipulated by agreement between POST and the subject of the appeal, the case shall be heard within a period not exceeding 120 days from the date of the notice of intent to appeal.
- c. A quorum of the Commission for the purpose of hearing appeals of professional certificate cancellation and recall actions shall be no less than three members.
- d. All meetings and hearings of the Commission to consider the cancellation and recall of a professional certificate shall be open except upon request of the involved subject and when sufficient reason is presented that in the judgment of the Commission the hearing be closed.

3-8. POST Legal Representation: POST shall be represented by a Deputy Attorney General at all hearings for cancellation or recall actions. Requests for attorney service are to be addressed to the Attorney General, attention Chief Deputy Attorney General, with a copy to the Special Assistant to the Attorney General. All requests for legal services are to be made immediately upon receipt of an appellant's request for a hearing and the establishment of such hearing date.



OFFICE OF THE ATTORNEY GENERAL

Department of Justice

555 CAPITOL MALL, SUITE 350

SACRAMENTO 95814

(916) 445-9555

January 3, 1977

Mr. Fred E. Williams
Commission on Peace Officer
Standards and Training
7100 Bowling Drive
Sacramento, CA 95823

Re: Certificate Cancellation Hearings
CV 76/170 IL

Dear Mr. Williams:

This is in reply to the following questions presented by you regarding the cancellation of the certificates issued by the Commission on Peace Officer Standards and Training (POST).

1. What restrictions exist as to the location of hearings? May they be held at the will of the Commission, or must they be held in or near the county of residence of the petitioner?
2. Does the petitioner have a right to have his case heard by the Commission itself?
3. May the Commission establish a hearing board?
For instance:
 - A. May we establish a Northern Board and a Southern Board? With different members?
 - B. Are there any membership restrictions?
 - C. Number of persons (is one enough)?
 - D. Qualifications?

Our conclusions may be summarized as follows:

1. The hearing may be held at any place that does not impose an undue burden on the certificate holder.
2. The Commission itself must decide the question as to whether the certificate is or is not to be cancelled. While

Attachment 2

January 3, 1977

the Commission must decide, it can avail itself of a Hearing Officer to take testimony.

3. While conceivably a Board could be used for the purpose of taking testimony, this would be a cumbersome and uneconomic method of proceeding. The use of a qualified Hearing Officer is recommended. The hearing can be held by one person. No special qualifications are needed. The Hearing Officer need not be a member of the Bar.

ANALYSIS

1. Part 4, Title 4, Chapter 1 (sections 13500 et seq.) of the Penal Code creates a Commission on Peace Officer Standards and Training and specifies its powers and purposes. Section 13503 which enumerates the Commission's power reads:

"In carrying out its duties and responsibilities, the commission shall have all of the following powers:

"(a) To meet at such times and places as it may deem proper;

"(b) To employ an executive secretary and pursuant to civil service, such clerical and technical assistants as may be necessary;

"(c) To contract with such other agencies, public or private, or persons as it deems necessary, for the rendition and affording of such services, facilities, studies, and reports to the commission as will best assist it to carry out its duties and responsibilities;

"(d) To cooperate with and to secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of its duties and responsibilities, and in performing its other functions;

"(e) To develop and implement programs to increase the effectiveness of law enforcement and when such programs involve training and education courses to cooperate with and secure the cooperation of state-level officers, agencies, and bodies having jurisdiction over systems of public higher education in continuing the development of college-level training and education programs;

"(f) To cooperate with and secure the cooperation of every department, agency, or instrumentality in the state government;

January 3, 1977

"(g) To do any and all things necessary or convenient to enable it fully and adequately to perform its duties and to exercise the power granted to it."

Section 13505 declares that the Commission may adopt such regulations as are necessary.

Pursuant to section 13505, the Commission has adopted regulations which are found in 11 Cal. Adm. Code sections 1000 et seq. Section 1011 of the Administrative Code provides in part:

"(a) Certificates and awards may be presented by the Commission for the purpose of raising the level of competence of law enforcement and to foster cooperation among the Commission, agencies, groups, organizations, jurisdictions and individuals.

"(b) Certificates and awards remain the property of the Commission and the Commission shall have the power to cancel or recall any certificate or award when:"

It may be assumed that the revocation of an officer's certificate would impair or terminate his career in the area of law enforcement. Such being the case, due process requires that a charge must be filed against him and that he be given the opportunity to challenge the charge. The right to engage in a lawful occupation cannot be impaired without due notice and a hearing. Abrams v. Daugherty, 60 Cal. App. 297 (1922); Drumney v. State Board of Funeral Directors, 13 Cal. 2d 75 (1939); Matteson v. State Board of Education, 57 Cal. App. 2d 991 (1943). Such being the case, a hearing would be required to revoke a certificate even though neither the Penal Code sections nor the regulations adopted by the Commission provide for a hearing. Due process also requires that the hearing be held at a place that is not too remote (1 Davis Administrative Law section 8.08). Other than this, the place of hearing rests at the discretion of the agency (1 Davis Administrative Law section 8.08 supra). The Administrative Procedure Act (Government Code sections 11370 et seq.) in section 11508 provides, with certain exceptions, that hearings shall be held in San Francisco if the transaction occurred or the respondent resides within the First Appellate District, in Los Angeles if the transaction occurred or the respondent resides within the Second or Fourth Appellate District, and in Sacramento if the transaction occurred or the respondent resides within the Third or Fifth Appellate District. The section then goes on to provide that the agency may select a different place than where the transaction occurred or where the respondent resides in that the parties may by agreement

January 3, 1977

select any place in the State. Following section 11508 in fixing your place of hearing should satisfy the due process requirement.

2. A distinction must be drawn between the hearing and the decision. The hearing consists of the taking of the evidence concerning the charges against the officer. The decision is the ruling which is to be based on the evidence. The making of a decision is a discretionary act and in the absence of express authorization ordinarily cannot be delegated (Bandini Estate Co. v. Los Angeles, 28 Cal.App.2d 224 (1938), (California Administrative Agency Practice section 3.6, 1944 Biennial Report of the Judicial Council, page 82)).

A delegation of the hearing process, however, is of a different nature. In essence, the hearing function is a fact-gathering procedure where the agency concerned makes use of subordinates or agents to assemble the data which is to be used in making the decision. (See Vita-Pharmaceuticals, Inc. v. Board of Pharmacy, 110 Cal.App.2d 825 (1952)). In the 1944 Biennial Report of the Judicial Council, page 82, it was intimated that even without statutory authority a hearing officer could find the facts with the decision to be made thereafter by the agency. In the CEB textbook, California Administrative Agency Practice, which was published in 1970, it is said at page 145 that delegation of the hearing function would be proper under a general power to delegate so long as the agency does not delegate to the hearing officer the power to make a final decision. No California cases are cited in support of the statement. While the Penal Code sections establishing the commission do not expressly authorize it to make delegations, it is authorized to employ such technical assistants and to do any and all things necessary and convenient to enable it to adequately perform its duties and to exercise the power granted to it.

Furthermore, section 13505 provides that the commission shall endeavor to minimize the costs of administration so that the maximum of funds will be expended for the purpose of providing training and other services to local law enforcement agencies. While the members of the commission receive no compensation, they are reimbursed for the necessary and actual travel expenses incurred in the performance of their duties. The commission is now composed of ten members and a hearing, which may extend over several days, would entail a considerable expense. On the whole we believe that it may be implied from the sections establishing the commission that it does have authority to delegate the hearing function to a hearing officer with transcript of the proceedings had before him transmitted to each member of the commission with the commission determining after the members have read the transcript what action is to be taken.

January 3, 1977

Certainly the use of a single hearing officer which will relieve the ten members of the commission of the hearing chore and make them available for matters which the commission itself must act upon will "assist. . . it to carry out its duties and responsibilities."

While it is the California rule that an agency can adopt, though not reject, a proposed decision of a hearing officer without reading the transcript, this rule is based upon certain language found in the Administrative Procedure Act. Hohreiter v. Garrison, 81 Cal.App.2d 384 (1947). As the commission is not one of the agencies covered by that act, it seemingly would be governed by the usual rule that the decision can only be made by persons that have read the transcript. Morgan v. United States, 298 U.S. 468 (1936).

One of the grounds for cancellation is conviction of a felony. In DiGenova v. State Board of Education, 45 Cal.2d 255 (1955), it was held that the credential of a teacher who was convicted of a sex offense could be revoked without a hearing. The statute involved however provided that the board "shall forthwith" revoke the credential upon conviction. In Eye Dog Foundation v. State Board, etc., 67 Cal.2d 536 (1967), another case involving a revocation without a hearing, the court while upholding the revocation noted, at page 545, that "Statutes of the kind involved here in suit should be construed to require a hearing unless the legislative enactment expressly provides otherwise. . ." The regulation in question does not purport to mandate an automatic revocation upon conviction but rather provides that the commission "shall have the power to cancel." Where there has been a felony conviction, a hearing should be held even though it will be of a perfunctory nature.

3. Question 3A may be answered by saying that the commission could establish a hearing board or several hearing boards with different members. However, this would not appear to be desirable as the board could do no more than take testimony with the decision to be made by the commission based on the transcript of the proceedings before the board. A two, three, or four-man board would be performing a task which could be performed more efficiently by an individual.

The Office of Administrative Hearings is empowered to contract with agencies, even though the agencies are not subject to the Administrative Procedure Act, to supply hearing officers. (Government Code section 11370.3) Using the Office of Administrative Hearings would appear to be an ideal way to take care of the problem if the commission wishes to be relieved of the hearing function.

January 3, 1977

Questions 3B, C, and D may be answered by saying that if a board is to be used, there would be no membership restrictions, that is members of the board or the individual hearing the matter would not have to be engaged in law enforcement or any other particular occupation.

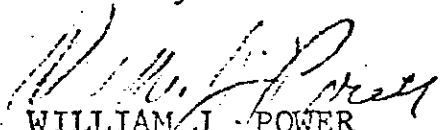
The hearing could be held by one person. The decision however must be made by a majority of the board at the meeting where the matter is considered.

As to qualifications. It would not be necessary that the person or persons holding the hearing be lawyers or trained in the law. The board or individual need not have higher qualifications than the individual or agency for which the hearing is held. (Spurlock v. Department of Motor Vehicles, 1 Cal.App.2d 821 (1969); Noll v. Department of Motor Vehicles, 274 Cal.App.2d 281 (1969)).

If you determine to use a hearing board or officer, we will be happy to assist you in setting up the procedure to be followed.

Very truly yours,

EVELLE J. YOUNGER
Attorney General


WILLIAM J. POWER
Deputy Attorney General

WJP:ph.

Filing of Accusation *

Service of Accusation *

Respondent and Parties
may file request for
copies of reports, etc.

Respondent may file
notice of defense

15 Days

30 Days

Days
0 5 10 15 20 25 30

Notice of Hearing *

(10 days before Hearing)

Hearing *

Notice of Decision *

Days
5 10 15 20 25 30

Decision becomes effective
30 days after mailing/delivery
to respondent - unless reconsideration
is ordered within that time

Effective Date *

Respondent may petition for
reinstatement within one year
of effective date of decision

Petition for judicial review must
be filed within 30 days (or as
excepted) of end of time period
to order reconsideration

Attachment 3

G.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Basic Course Performance Test		Meeting Date January 26-27, 1978
Division Executive Office	Division Director Approval <i>[Signature]</i>	Researched By G. E. Townsend
Executive Director Approval <i>[Signature]</i>	Date of Approval 1-20-78	Date of Report January 19, 1978
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/>		Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

BACKGROUND

In January 1977, the Commission authorized the development of professionally prepared job knowledge and job performance examinations for use in the Basic Course Revision Project.

ANALYSIS

After a feasibility study was completed under contract, a Request for Proposal was prepared, approved, and distributed to 32 potential vendors. An appropriate review process was completed following receipt of six formal proposals.

RECOMMENDATION

Approve the development of a contract to produce the required products, based on our R. F. P. and the written response thereto, from Psychological Services, Incorporated (PSI) of Los Angeles, California, in an amount not to exceed \$120,000 and a time line not to exceed ten (10) months.

Memorandum

To : POST Commissioners

Date : January 19, 1978

From : Executive Office - Gerald E. Townsend
Commission on Peace Officer Standards and Training

Subject: Basic Course Performance Test

Background

In January 1977, the Commission adopted staff recommendations relative to implementation of the Basic Course Revision based on Performance Objectives. (Attachment "A")

Subsequently, arrangements were made for a contract with the Human Resources Research Organization (HumRRO), and in April 1977, they delivered "An Analysis and Plan Test Development for the POST Basic Course." This document listed approximate time lines and costs and concluded such tests could and should be developed. Each academy in the State was provided a copy of the report, and it was discussed at two meetings of the Basic Course Revision Consortium for concurrence.

With the above information, a Request for Proposal (RFP) was developed, approved by the Commission and distributed to 32 potential vendors nationwide that appeared to have the capability to produce the required product. (Attachment "B")

A bidders' conference was scheduled, and representatives from 12 companies attended to obtain further information, copies of all the unit guides, the objectives, and the management guide on which to base their proposals.

Six potential vendors responded with formal written proposals. A POST evaluation committee composed of Dr. John Kohls, Dr. John Berner, Bureau Chief Brooks Wilson, and the Assistant Director Gerald Townsend made an independent evaluation of all proposals, independently using a structured check sheet covering 13 elements. (Attachment "C") A coordinator from both an agency operated and a community college basic academy were also requested to participate in the evaluation process. The Administration Division was asked to evaluate project budgets with particular emphasis on full-time staff, consultants, total man days, travel costs, and the "general" or "fees" category. Data processing costs were also requested. Three proposals emerged as the most responsive, and the vendors were asked to attend an additional meeting. Consensus was obtained that the other three would not be considered further unless the first

three turned out to be unacceptable. Consequently, vendors A, B, and C were set aside with these notations:

- Vendor A. Cooperative Personnel Services: "A very sketchy proposal which does little more than repeat statements in the R. F. P. Little demonstrated performance testing experience."
- Vendor B. Insgroup, Inc.: "A cursory treatment of the problem. Little information to demonstrate extensive experience in either test development or performance testing. Relatively little law enforcement experience, particularly in our areas of interest."
- Vendor C. A. T. Kearney, Inc.: "Lacks specificity and clarity. Major researchers unable to demonstrate extensive experience in either test development or performance testing. Relatively little law enforcement experience, particularly in our areas of interest."

The remaining three vendors met with the committee (and an additional independent observer who had not read the proposals, for the purpose of evaluation, clarity and appropriateness of oral presentations) for at least two hours each, and responded to our assessment of strengths, weaknesses, and items needing further explanation that we had previously identified. This resulted in vendor D being set aside, noting:

- Vendor D. Selection Consulting Center: "A good proposal with a substantial and sophisticated product. However, they have a relative lack of experience in the police area, especially in terms of performance testing. The Project Director and major staff assistant have relatively little project management experience. They have made unwarranted assumptions about law enforcement cooperation and availability which adversely affect the budget."

Vendor E, HumRRO, was reluctantly set aside due to length of time needed to produce the product and the extra cost that would be required to produce normative referenced parallel examinations rather than just criterion referenced examinations. They also reflected a lack of local government police experience. They are acceptable, however.

Vendor F, Psychological Services, Inc., was determined to be the most desirable in terms of our needs relative to products deliverable, time line, budget, capability, and personnel. Personal contact with many of their prior clients substantiated this judgment.

The vendors' proposals and individual staff evaluations of the proposals are available to Commissioners who wish to review them.

Recommendation

Approve the development of a contract to produce the required products, based on our R. F. P. and the written response thereto, from Psychological Services, Inc., (PSI) of Los Angeles, California, in an amount not to exceed \$120,000 and a time line not to exceed ten (10) months.

MATERIAL COVERING THIS AGENDA ITEM WILL
BE A SUBSEQUENT MAIL-OUT OR HANDED OUT
AT THE MEETING.

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title SPECIALIZED LAW ENFORCEMENT CERTIFICATION PROGRAM		Meeting Date January 26-27, 1978
Division Executive Office	Division Director Approval	Researched By Harold Snow
Executive Director Approval <i>W. S. Arlington</i>	Date of Approval January 6, 1978	Date of Report January 5, 1978
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page ____).		

At the October 13-14, 1976 meeting, the Commission reviewed a preliminary staff study on the Specialized Law Enforcement Certification Program. (An update of that document including the current status of the program is presented on Attachment B.)

After considering alternative solutions, the Commission took the following action:

"MOTION by Commissioner Grogan, seconded by McCauley, carried unanimously to continue the Specialized Program as it currently exists with increased staff services to include updated, relevant training based on demonstrated need." (There was clarification that the intent of the motion was that there will be no new participants accepted into the Specialized Program at this time.)

Since that time the following developments have occurred: 1) Eight requests by specialized agencies to enter the program have been received. (See Attachment A), 2) A concerted effort has been made both by staff and the specialized agency representatives to respond to the legislature's requirement (PC 13510.5 - Attachment C) that the Commission set training standards for those specialized agencies detailed in the law, and 3) Staff has, by virtue of Commission direction to "update relevant training", identified alternatives in the following five categories which would serve to address most issues concerning the Specialized Program:

- o Curriculum
- o Certificates
- o Moratorium on new agency entry
- o Requirements for agency entry into the program
- o Training standards for Penal Code Section 13510.5

It should be noted that reaction to these alternatives has not been solicited from specialized agencies. Should the Commission wish to adopt changes in the Specialized Program and/or adopt training standards pursuant to P.C. 13510.5, the public hearing process may be necessary.

Attachments

Utilize reverse side if needed

ALTERNATIVESANALYSISA. Curriculum:

1. Basic Training

Alternatives:

a. Maintain the status quo.

In the 1976 survey of agencies participating in the POST Specialized Program, the majority responding indicated the training they received was inadequate and not relevant to their specific needs. The curriculum for the specialized basics became effective January 1, 1970 and has not been revised since then. Even though the Basic Course Revision Project is underway to update the regular basic, no similar effort has been undertaken for the specialized basics.

b. Update the curriculum standards for the specialized basics (police, investigators, marshals).

Such a revision effort would require a moderate amount of staff time. With the diversity of agencies participating in the Specialized Program, there is likelihood that even revised basic curriculum may not satisfy everyone.

c. Discontinue certifying specialized basic courses and modularize the regular basic creating a universal core with required additional short courses for each specialized discipline (police, sheriff, marshals, investigators).

This alternative assumes there are some universal skills and knowledge common to all peace officer groups. At the same time there are training needs peculiar to specialized disciplines which are not uniformly and systematically met in the basic course. For example, some regular basic courses contain jail operations for sheriffs deputies while other basics include traffic accident investigation to the degree necessary to satisfy CVC 40600 for city police. A similar analogy can be made with respect to investigators needing additional investigative techniques while marshals require additional civil process content. The difficulty with this proposal is that most basic academies are not now geared to accomodate this degree of specialization. However, this alternative would help facilitate certificate interchangeability.

A. Curriculum (continued)

- d. Discontinue specialized basic courses and require completion of the regular basic by all peace officers participating in the POST Certification Programs.

Requiring all peace officers to participate in the program would overcome the frequently expressed problem that there are insufficient presentations and too few specialized basic courses. Specialized agencies have, as a consequence, satisfied basic course requirements through frequent use of the equivalency process. Over 50% of specialized certificates are issued on the basis of equivalency, which takes a great deal more staff time than does certificate issuance based upon course attendance. On the other hand, there are 28 regular basic academies conveniently located throughout the State. The regular basic course can be viewed in the same respect as law school to the legal profession--a universal requirement for all attorneys regardless of their ultimate speciality. Of course, some of the basic content may be inappropriate for a given speciality but viewed from the perspective of a profession with considerable lateral mobility, it may be justified. Further, the current problems associated with certificate interchangeability between the regular and specialized programs would be alleviated.

The disadvantages of this alternative include the increased loss of manpower for training purposes particularly by agencies participating in the Specialized Program. Regular basic courses average 525 hours while specialized basics are much shorter. Some agencies in the Specialized Program may thus choose not to continue their participation while others would be discouraged from entering the program. Such a proposal may stimulate legislation from agencies in the Specialized Program relative to POST's certificate programs. This alternative may potentially serve as justification for future legislative expansion of the POST reimbursement program to include additional agencies.

2. Advanced Officer Training

Alternatives:

- a. Maintain advanced officer training optional.

The Advanced Officer Course is optional for agencies participating in the specialized program while it is

A. Curriculum (continued)

required for agencies in the reimbursement program. Many have viewed this as inconsistent and in need of correction. Others cite the need to retain Advanced Officer as optional due to the fact agencies participating in the Specialized Program are not reimbursable from the POTF and thus create financial hardship.

b. Require advanced officer training for all participants.

Since the purpose of advanced officer training is to provide update-refresher instruction in new laws, court decisions, officer survival, new techniques, etc., it is logical to assume most peace officers share this common need. By requiring advanced officer training for all agencies, it would help (1) insure initial and continued law enforcement agency commitment to training and (2) reduce differences between the Regular and Specialized programs if both are to be retained.

B. Certificates

Alternatives:

1. Continue both the regular and specialized certificate programs as now constituted.

This alternative does not address the current problems relating to certificate interchangeability, makeup of deficiencies for lateral transfers, and inequities between the programs.

2. Continue both the regular and specialized certificate programs but upgrade the requirements for specialized certificates to the same level required for regular certificates.

Under this alternative, peace officers of agencies participating in the Specialized Program would be required to complete the regular basic course as well as supervisory, advanced officer and management training. This would facilitate certificate interchangeability and may assist lateral mobility.

3. Discontinue issuance of specialized certificates and issue regular certificates to all participating in the "POST Certification Program" regardless of their reimbursement status.

B. Certificates (continued)

Current requirements for regular certificates would apply to all participants. There would be a cost savings to POST in not having to issue two different series of certificates as well as reduction of equivalency evaluations so prevalent in the Specialized Program. Difficulty arises over equating differing kinds of experience. For example, is one year of experience as a DMV investigator equivalent to one year of patrol experience as a city policemen? Further, many consider POST certificates for "regular" and "specialized" peace officers as one of the few remaining distinctions (a form of status symbol), and hence desirable to retain. Under this alternative, there would be no need to have separate regulations--one for regular and one for specialized. The POST Regulations would be revised.

One variation of this proposal is the "agency specific model" which is to discontinue labeling POST certificates as Specialized or Regular and instead record the name of the agency on the certificate at the time of application.

4. Eligibility of specialized program participants for all levels of POST certificates.

Currently, peace officers from agencies participating in the Specialized Program are only eligible for basic, intermediate and advanced certificates. They are not eligible for management and executive certificates unlike qualified peace officers from agencies in the regular program. This difference has aggravated many, particularly because management training is required yet recognition in the form of certificates are not available. Some argue the cost for issuance of these certificates would be negligible and would bring much good will. Another factor in support of this alternative is that several agencies (i.e. BART, East Bay Regional Park District, State Colleges and Universities) which have been legislated into the POST reimbursement program have been placed in the regular certificate program and hence eligible for the full range of regular certificates. Further, POST has permitted the California Highway Patrol into the regular certification program but without reimbursement.

C. Requirements For Agency Entry Into The Program.

Alternatives:

1. Maintain current entry requirements.

C. Requirements For Agency Entry Into The Program (continued)

Agencies entering either the regular or specialized programs are not required to have existing peaceofficers brought up to POST's training or selection standards. As a consequence, some agencies have entered the POST program with less than full commitment to meeting POST standards. POST's requirements apply to all peace officers appointed after the effective date of agency entry into the program.

2. Establish an entry requirement for the Specialized Program that an applying agency must submit a schedule which will lead all its presently employed peace officers to meet POST training standards in a reasonable period of time.

This requirement would insure commitment to training by agencies requesting entry into the POST Program. At the same time, it would serve to discourage frivolous requests for entry and increase respect for the POST Certification Program.

3. Establish the following additional eligibility requirements for the admission of non-reimbursable agencies into the POST Program.

- a. Continue the practice of the Commission approving by category which agencies are acceptable in the POST Certification Program.
- b. Continue all non-reimbursable agencies currently in the POST Program but their continuance shall imply no precedence for other agencies.
- c. Make eligible all agencies whose members are vested with peace officer authority under Penal Code Section 830 and perform enforcement or investigatory functions except:
 1. State corrections and local probation
 2. Agencies whose primary purpose or activity is to provide facility or grounds security
 3. Agencies whose primary duties are non-enforcement or inspectional
 4. California National Guard
 5. Agencies which at the time of application are negligent in training and selection practices to

C. Requirements For Agency Entry Into The Program (continued)

such an extent it would preclude the agency meeting POST requirements.

The advantage of this alternative is that it would serve as a screening device or guide in dealing with future requests for entry into the POST Program. It would also serve to limit the future potential growth of the Specialized Program. The disadvantage is that this proposal singles out some agencies for ineligibility. Such an approach is a reversal of current Commission policy of identifying which categories of agencies can participate. Applying these screening standards to existing specialized agencies could be considered but would be viewed by affected agencies as unfair.

D. Moritorium On New Agency Entry Into The Specialized Program

Alternatives:

1. Continue the moritorium.
2. Discontinue the moritorium and begin admitting additional agencies based upon additional eligibility requirements presented in Section C and training requirements in Section A. Since the moritorium on admitting new agencies to the Specialized Program, eight (8) law enforcement agencies have formally requested and been denied admission to the program pending completion of further study. They include:

<u>Agencies Requesting Admission</u>	<u>Approved Category</u>
1. Los Angeles City Housing Authority	-
2. California Board of Medical Examiners	-
3. California Horseracing Board	-
4. San Mateo County Parks and Recreation	-
5. California State Department of Parks and Recreation	-
6. Southern California Rapid Transit District	----- Regional Tran. Dist.
7. San Jose Community College Police Department	----- Comm. College Police
8. West Valley Community College Police Department	----- Comm. College Police

D. Moritorium On New Agency Entry Into The Specialized Program
(continued)

From the above list, the first five (1-5) are not technically approved categories even though there are similar agencies already admitted to the program.

Additional Commission policy regarding strengthening the requirements for training and agency entry into the program would have the effect of limiting future growth and participation in the program depending upon the previous alternatives adopted. Removing the moritorium may preclude legislation from being introduced mandating admission to the program.

E. Training Standards for Penal Code Section 13510.5

Alternatives:

1. Await further clarifying legislation.
2. After public hearing, adopt one of the following:
 - a. Regular basic course as the standard.
 - b. Both the regular basic course and the advanced officer training requirement as the standards.
 - c. The appropriate specialized basic course as the standard.
 - d. Both the appropriate specialized basic course and the advanced officer training requirement as the standard.
 - e. Other

The Legislature in 1975 passed SB 1021 which enacted Penal Code Section 13510.5 requiring POST to set training standards for specified state law enforcement agencies by January 1, 1976. Because of various defects in the legislation, POST has refrained from carrying out this mandate. (See Attachment C).

Penal Code Section 13510.5 (Attachment C) does not require affected agency participation in the POST Specialized Certification Program. This legislation is not specific as to the type of training standard--basic, advanced officer, or other. However, both the author and proponents, Law Enforcement Council of the California State Employees Association, have indicated legislative intent was to establish both entry and advanced officer training implementing the standards due to defects in the legislation including the lack of clarity concerning the

E. Training Standards for Penal Code Section 13510.5 (continued)

intended training standard, agencies affected, and sanctions for non-compliance. The legislation's proponents have indicated clean-up legislation will be introduced during the 1978 session. The issue is whether to continue awaiting clarifying legislation or go ahead with adoption of training standards.

UPDATED STATUS OF SPECIALIZED LAW ENFORCEMENT
CERTIFICATION PROGRAM

History

The POST Specialized Program proposal was introduced to the POST Commission on April 11, 1969. Objectives of the program were to professionalize specialized law enforcement agencies by establishing minimum standards for the selection and training of peace officers in non-POST reimbursable agencies. The Specialized Law Enforcement Program became effective January 1, 1970.

Previous to the October 1976 moratorium on new agencies entering the program, it was Commission policy to authorize the Executive Director to approve requests from agencies in categories which had already been approved by the Commission. Requests from agencies in categories not heretofore approved by the Commission were brought to the Commission for its consideration and approval.

Current Status

The voluntary program has seen considerable growth. The program presently has eight state agencies, 63 local agencies, and three private agencies participating with a combined total of 3,885 personnel. Specialized agencies are treated substantially the same as reimbursable agencies. They are visited at least once each year to verify standards compliance and provided on-site and telephonic consultative services related to selection and training.

Specialized agency personnel are eligible for specialized basic, intermediate, and advanced certificates. A total of 435 were issued in 1977.

Program Costs

The 1977 estimated total program cost of \$18,880 is shared by the Administration and Standards and Training Divisions.

Administration (Certificate Issuance)

Records Clerk, Mailing, Filing, Postage \$2,666
(435 certificates/year)

Standards and Training (Compliance, Consultative Services,
Course Certification)

Compliance Inspections (80/year x \$140)	\$11,214
Travel Costs & Other Consultative Services	\$ <u>5,000</u>
Sub-Total	\$16,214
Total	\$18,880

These program costs indicate the Specialized Program constitutes only a small part of POST's activities. Approximately 6% of the Administration Division's Certificate Section time is devoted to specialized agencies. The operation is already equipped and staffed to accommodate the regular reimbursable agencies. Likewise, Standards and Training Division accommodates consultative and compliance visitations in conjunction with those to regular agencies.

Potential Growth

There is considerable potential for growth in the program since there are approximately 50,000 "specialized" peace officers (non-POST reimbursable) not in the Specialized Program. However, this must be viewed from the perspective that growth is directly related to admission criteria established by the Commission. The attached charts provide a basis for comparison and projection of program costs.

STATE LAWS OF INTEREST TO POST

P-4

POST Commission -- Powers

P. C. 13503

In carrying out its duties and responsibilities, the commission shall have all of the following powers:

- (a) To meet at such times and places as it may deem proper;
- (b) To employ an executive secretary and, pursuant to civil service, such clerical and technical assistants as may be necessary;
- (c) To contract with such other agencies, public or private, or persons as it deems necessary, for the rendition and affording of such services, facilities, studies, and reports to the commission as will best assist it to carry out its duties and responsibilities;
- (d) To cooperate with and to secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of its duties and responsibilities, and in performing its other functions;
- (e) To develop and implement programs to increase the effectiveness of law enforcement and when such programs involve training and education courses to cooperate with and secure the cooperation of state-level officers, agencies, and bodies having jurisdiction over systems of public higher education in continuing the development of college-level training and education programs;
- (f) To cooperate with and secure the cooperation of every department, agency, or instrumentality in the state government;
- (g) To do any and all things necessary or convenient to enable it fully and adequately to perform its duties and to exercise the power granted to it.

STATE LAWS OF INTEREST TO POST

M-1

State Agency Training Standards

P. C. 13510.5

For the purpose of maintaining the level of competence of state law enforcement officers, the commission shall adopt, and may, from time to time amend, rules establishing minimum standards for training of peace officers as defined in subdivisions (b), (d), and (e) of Section 830.2, subdivisions (c), (d), (e), (f), (g), (h), (j), (l), and (o) of Section 830.3, Section 830.31, subdivisions (a)(1), (a)(6), and (a)(7) of Section 830.4, and special and narcotic agents as defined in subdivision (a) of Section 830.3. All such rules shall be adopted and amended pursuant to Chapter 4.5 (commencing with Section 11371) of Part 1, Division 3, Title 2 of the Government Code.

Section 830.2:

- (b) California State Police
- (d) University of California Police
- (e) State College Police

Section 830.3:

- (c) ABC Investigators
- (d) Division of Investigation - Department of Consumer Affairs
- (e) Wildlife Protection Branch - Department of Fish and Game
- (f) State Forester and Employees with Primary Law Enforcement Duties
- (g) Department of Motor Vehicle Investigators
- (h) Racetrack Investigators of California Horseracing Board
- (j) State Fire Marshal and Deputies with Primary Law Enforcement Duties
- (l) Chief and Inspectors of Bureau of Food and Drugs
- (o) Investigators of Division of Labor Law Enforcement

Section 830.31: Marshals and Police Appointed by Director of Parks and Recreation
as Peace Officers

Section 830.4:

- (a)(1) Security Officers of the California State Police Division
- (a)(6) Members of a State University or College Police Department appointed per 24651 of the Education Code
- (a)(7) Hospital Administrator of a State Mental Hospital and Police Officers appointed by him.

Section 830.3:

- (a) Narcotic Agents and Investigators of the Department of Justice.

Memorandum

To : COMMISSIONERS

Date : December 13, 1977

George Tielsch
Chairman, Advisory Committee

From : Commission on Peace Officer Standards and Training

Subject: REPORT FROM DECEMBER ADVISORY COMMITTEE MEETING

The Committee elected officers for 1978. I was honored to be elected for a second term as Chairman of the Advisory Committee. Our new Vice-Chairman is Chief Robert Wasserman.

Most of our time at the last meeting was devoted to the reserve legislation. A separate report is being submitted covering reserve issues.

On other matters, the Advisory Committee made the following recommendations:

Specialized Law Enforcement Program

MOTION by Wayne Caldwell, Second by Alex Pantaleoni, that the Specialized Basic Course be discontinued and require completion of the Regular Basic Course by all peace officers participating in the POST certification program.
MOTION CARRIED.

Reimbursement for the Basic Course

MOTION by Robert Wasserman, Second by Wayne Caldwell, that the Commission should reimburse under the prevailing reimbursement plan for the basic course (for whatever minimum number of hours as may be required by the Commission).
MOTION CARRIED.

Memorandum

: COMMISSIONERS

Date : December 13, 1977

George Tielsch
Chairman, Advisory Committee

From : Commission on Peace Officer Standards and Training

Subject: STATUS REPORT - TRAINING AND STANDARDS FOR LAW ENFORCEMENT RESERVES

The Commission at its October meeting assigned responsibility to the Advisory Committee to review staff work and recommendations regarding implementation of the reserve bill. Staff prepared an extensive review of issues and problems which were discussed by the Committee at its December meeting. The staff report is attached.

The Advisory Committee made the following tentative determinations on specific issues. The Committee will review these issues again after additional input is received.

Definition of Terms

1. "working alone"

This refers to a reserve officer who works without immediate supervision and makes independent decisions. This definition should not preclude two Level I reserves from working together.

2. "immediate supervision"

This means that routinely a supervising regular officer is in the physical presence of the reserve, and is always physically accessible to the reserve officer.

3. "prevention and detection of crime and the general enforcement of laws"

This refers to a reserve assigned to:

- patrol a geographic area
- respond to handle personally the full range of citizen requests for police services
- take enforcement action on the full range of law violations for which his department has enforcement responsibility

4. "limited function"

This refers to reserve officers assigned to responsibilities other than the prevention and detection of crime and the general enforcement of laws.

- | | |
|---|--|
| 5. "field training program approved by POST" | A decision was not reached on this matter pending resolution of whether such a program is actually required. |
| 6. "peace officer possessing a basic certificate" | This refers to a regular officer and precludes a Level II reserve from working under the supervision of another reserve, unless that reserve possesses a regular Basic Certificate awarded while he was a regular officer. |

Other Issue

1. Training Standard for Type I Reserve

There is currently a lack of consensus among Committee members on this issue. All members agree that additional review of this issue is necessary.

2. Training Standard for Type II Reserve

This issue was deferred pending resolution of the training required for Type I reserves.

3. Training Standard for Type III Reserve

The Committee believes, at this time, that 832 training is adequate.

4. Use of "proficiency testing" as allowed by the law to satisfy reserve training standards

The Committee believes at this time that such testing should not be employed.

5. Certificate Program for Reserves

The Committee's tentative view is that the certificate for Type I reserves should specify that the recipient is a reserve officer. Members believe that the certificate should be awarded based upon completion of required training, completion of a specified amount of experience (perhaps 200 hours worked in a one-year period), and department head endorsement.

On other certificate issues, the Committee's tentative decisions were:

- Reserves should be charged a fee for certificates
- Only one certificate should be available to reserves (the scheme of basic, intermediate, and advanced should not be followed)
- No certificates should be awarded to Type II or Type III reserves

Selection Standards for Reserves

A general review was made on existing selection standards for regular officers. Concern was expressed for increased costs if the same background investigation and medical examination are required for reserves. It was suggested that staff undertake additional review of those two standards as they apply to reserves.

Additional Field Input

The Committee believes that a series of meetings with chiefs, sheriffs, reserve coordinators, and others desiring input on reserve issues should be held throughout the state as soon as possible. Input received at those meetings would be very helpful to the Committee.

Attachment

AGENDA ITEM SUMMARY SHEET

Agenda Item Title POST SUPERVISORY CERTIFICATE		Meeting Date January 26-27, 1978
Division Administration	Division Approval <i>[Signature]</i> Otto H. Saltenberger	Researched By <i>[Signature]</i> George W. Williams
Executive Director Approval <i>[Signature]</i> W. R. Harlington	Date of Approval December 9, 1977	Date of Report December 6, 1977
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

At its October 13-14, 1977, meeting the Commission directed staff to prepare a report on the feasibility of the issuance of the POST Supervisory Certificate.

BACKGROUND

Research has revealed that for several years during the 1960's the Commission issued a document which was entitled "POST Supervisory Certificate." This document was merely a certificate of completion of POST certified supervisory courses. Although the POST Supervisory Certificate was similar in appearance to the professional certificates issued by the Commission, such as the Basic, Intermediate, and Advanced Certificates, the Supervisory Certificate was not a professional certificate in the sense that the latter certificates are. Effective January 24, 1974, the Commission discontinued issuance of certificates of completion for courses begun thereafter. Staff does not recommend that POST reinstitute the issuance of certificates of completion for the Supervisory Course or for other courses for that matter.

CONSIDERATIONS

If POST is to issue certificates to supervisors, similar to the professional-status certificates issued for management and executive positions, the following are suggested prerequisites for such certificates.

Compliance with the general provisions for eligibility for the award of POST certificates (i.e. appropriate employment as a peace officer, subscribing to the law enforcement code of ethics, and attestation of good moral character, etc.); possession or eligibility to possess the Intermediate Certificate; award of no less than 60 college semester units at an accredited college; satisfactory completion of a certified supervisory course or the equivalent; and currently and for a period of two years satisfactory service as a supervisor as defined in Regulation 1001 (i), "FIRST-LEVEL SUPERVISORY POSITION."

COST ANALYSIS

Approximately 6,000 first-level supervisors are presently employed by departments participating in the POST Program. Assuming all of these persons would be eligible, it is estimated that issuance of Supervisory Certificates to them, on a one-time basis, would cost approximately \$23,400.

\$18,780	6,000 x \$3.13	(Personal services cost for each certificate based on estimate of approximately 23 minutes for the processing of each certificate application - to screen, type, post record, mail, etc.; total 1.3 additional temporary clerical positions.)
2,760	6,000 x \$.46	(printing)
1,860	6,000 x \$.31	(postage, etc.)

Total \$23,400

Assuming 600 first-level supervisors will be appointed each year, the approximate annual costs related to the issuance of Supervisory Certificates would be \$300 for printing and postage plus \$2,000 in personal services.

MATERIAL COVERING THIS AGENDA ITEM WILL
BE A SUBSEQUENT MAIL-OUT OR HANDED OUT
AT THE MEETING.

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Driver Training Allocations		Meeting Date January 26-27, 1978
Division Standards and Training	Division Director Approval <i>Bradley W. Koch</i>	Researched By Bradley W. Koch
Executive Director Approval <i>[Signature]</i>	Date of Approval 1-4-78	Date of Report January 4, 1978
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input checked="" type="checkbox"/>		Yes (See Analysis per details) <input checked="" type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page _____).

ISSUE:

The Commission, at its July 29, 1977 meeting, approved 500 additional Driver Training openings to be presented by January 1, 1978. The Academy of Defensive Driving reports that the entire allocation of 500 students has been booked.

Pending completion of the Driver Training Study being conducted by the Center for Police Management, there is a need to consider further allocation of Driver Training slots to July 1, 1978.

BACKGROUND:

The allocation of 500 training slots for Driver Training was an interim measure acted upon by the Commission pending completion of the Driver Training Study requested by the Legislature. The Driver Training Study has not yet been completed and will require additional time before conclusions can be drawn as to training requirements for Driver Training Programs.

In addition, Standards and Training Division has been working with the City and County of San Francisco on an evaluation of an experimental Driver Training Program. The results of the study should be available by July 1978. Attached is the six-month evaluation of the project.

RECOMMENDATION:

In order to provide a Driver Training Program until the Driver Training Study is completed, it is recommended that 500 additional Driver Training slots for presentation by July 1, 1978 be approved by the Commission.



POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103

December 15, 1977



ADDRESS ALL COMMUNICATIONS:
CHARLES R. GAIN
CHIEF OF POLICE

OFFICE OF THE
CHIEF OF POLICE

IN REPLY, PLEASE REFER TO
OUR FILE: P-147/S23

Mr. Brad Koch
Director, Standards and Training
Commission on Peace Officer
Standards and Training
7100 Bowling Drive, Suite 250
Sacramento, California 95823

Dear Brad:

The six month evaluation period for the Defensive Driving Courses, presented by the Academy of Defensive Driving, for this department, is now complete.

In the period between the 14 week evaluation (October 4, 1977) and six month evaluation (December 15, 1977), one of the 148 officers involved in the study has been involved in a vehicle collision. This collision involved improper backing on the part of the officer-driver. This officer participated in the modified course and this is his second backing collision during the study period. This now brings the total to six (6) officers involved in seven (7) collisions, six (6) improper backing and one (1) improper lane change.

Of the officers involved, two (2) went through the modified course, both involved in improper backing collisions, one of which now has two collisions. Four (4) officers through the standard course, three (3) involved in improper backing, one (1) improper lane change.

The next evaluation period will be for one year, July 15, 1978.

Sincerely,

CHARLES R. GAIN
Chief of Police

JAMES P. SHANNON
Captain of Police
Personnel & Training

Dec 21 10 04 AM '77

COMMISSION ON POST

Memorandum

: Commission on POST

Date : January 17, 1978

Louis Sporrer, Chairman, CSTI/DOJ Committee
From : Commission on Peace Officer Standards and Training

Subject: CSTI/DOJ CONTRACT REQUESTS, FISCAL YEAR 1978-79

As directed by the Commission, the CSTI/DOJ Contract Committee met on January 10, 1978 to review contract proposals submitted by CSTI and DOJ.

Present: L. Sporrer
R. Grogan
H. Ellingwood

Absent: J. Jackson
B. Gates

Staff : W. Garlington
G. Estrada
F. Brown

Guests: L. Giuffrida, CSTI
G. Martin, CSTI
H. Allen, DOJ
K. Skidmore, DOJ

CALIFORNIA SPECIALIZED TRAINING INSTITUTE

- I. As directed by the Committee, the staff reported that based on its investigations:
 - a. There was no evidence of a significant military orientation of CSTI affecting either the materials presented in CSTI courses or the manner in which those materials are presented. No specific complaints have been received from either trainees or departments.
 - b. CSTI permanent staff is of a uniformly high calibre with a desirable combination of extensive local law enforcement experience and a high level of formal Administration of Justice education. CSTI avails itself of local law enforcement expertise in a number of areas in each course through use of contract instructors. Both trainee evaluations (the Course Evaluation Instrument) and on-site staff evaluations rate CSTI courses very highly.
 - c. The contract proposal costs on a course-by-course basis, fall within POST tuition guidelines. The proposal of 2,000 trainees represents an increase of approximately 25% over the actual number in 1976-77 (1,500) and 18% over the estimated number for 1977-78(1,700).

- d. Specific CSTI funding proposals to LEAA and OCJP have not been firmly determined at this date, with the specific amount of the latter dependent on the final amount approved for the former. However, the funding program to LEAA includes a 15% "overhead" item to be applied toward CSTI's general operations.

Note: The Director of CSTI assured the Committee that although funds from all sources are comingled, he will not claim against the full amount of the POST contract to the extent that the funds obtained from LEAA and OCJP meet his operational requirements.

RECOMMENDATION:

The Committee recommends:

1. The Commission accept the staff report as outlined in (a) and (b) above.
 2. Approval of the CSTI contract request for \$356,447.00.
 3. The acceptance of the Director of CSTI's assurance that POST funds in excess of the Institution needs will not be claimed.
- II. Separate from the requested contract, CSTI submitted for "approval in concept" a proposal for a California Crime Prevention Managers Course. Funding for the course would require an augmentation of the 1977-78 contract for \$47,108 and an additional \$94,017 for 1978-79. The Director of CSTI also raised, in general terms, the funding problems of a Hazardous Devices Technicians Course although no specific amounts were discussed.

RECOMMENDATION:

The Committee recommends:

1. The Commission not fund the California Crime Prevention Managers Course.
2. Encourage CSTI to seek funding from other sources; i.e., LEAA, OCJP, for construction of suitable facilities for the Hazardous Devices Technicians Course and agree to support the course when, and if, facilities are constructed.

DEPARTMENT OF JUSTICE

Department of Justice requests \$502,376 in a contract for Fiscal Year 1978-79, to offer 19 courses in 106 presentations throughout the state. Seventy percent of all presentations will be taken "on-site" to the using agencies. Course costs are below POST guidelines.

The increase in the amount requested for Fiscal Year 1978-79 is due to the discontinuance of a LEAA grant which funded the program of the Western Region Organized Crime Training Institute (WROCTI) for the past three years. The amount of Peace Officer Training Fund monies requested is a very important part of the support, without which the program will be terminated. Actual program costs are substantially more than requested from POST. In fact, \$131,000 will be financed from the General Fund budget and by taking some of the WROCTI courses out-of-state.

The staff report on the impact of the DOJ proposal indicates \$374,561 in claims for reimbursement can be anticipated.

RECOMMENDATION:

The Committee recommends the Commission accept the proposal as submitted by DOJ.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
STANDARDS AND TRAINING DIVISION
January 6, 1978

DOJ--CSTI CONTRACT REQUEST COMPARISON

<u>Category</u>	<u>CSTI</u>	<u>DOJ</u>	<u>TOTAL</u>
1. Total Number of POST Trainees	2,000	3,900	5,900
2. Total Number of Classroom Hours	2,404	5,584	7,988
3. Total Number of Trainee Hours	88,356	139,600	227,956
4. Contract Costs Per Classroom Hour (W/A)	\$147.44	\$90.22	---
5. Contract Cost Per Trainee Hour (W/A)	\$ 4.01	\$ 4.34	---
6. Reimbursement Cost Per Trainee Hour (W/A)	\$ 5.50	\$ 2.68	---
7. Total Cost Per Trainee Hour (W/A)	\$ 9.51	\$ 6.65	---
8. Amount of Contract	\$356,447	\$502,376	\$858,823
9. Amount of Reimbursement	\$485,870	\$374,561	\$860,431
10. Total Cost to Peace Officer Training Fund	\$842,317	\$876,937	\$1,719,254
a. General Backlog of Trainees	Yes	Yes	
b. Level of Training Evaluation	High	High	

Memorandum

: William R. Garlington
Executive Director

Date : January 4, 1978

Via: Bradley W. Koch *BWK*
Director
Standards and Training Division

Fravel S. Brown *FSB*

From : Commission on Peace Officer Standards and Training

Subject: CALIFORNIA SPECIALIZED TRAINING INSTITUTE CONTRACT

In a memorandum to POST dated December 14, 1977, the California Specialized Training Institute formally submitted materials in support of a request for \$352,246 from the Peace Officer Training Fund to assist in the support of the CSTI's law enforcement training program for Fiscal Year 1978-79.

A review of the request was made to determine the impact it would have on the Peace Officer Training Fund and to determine if the request would fall within POST guidelines applicable to tuition-charging courses.

CSTI plans to offer four courses and one seminar in 53 presentations. The 50 presentations of four courses will be held at the CSTI facility at Camp San Luis Obispo. The three presentations of the seminar will be held at various locations within the state, two in Southern California and one in Northern California. The four courses will be offered in the usual CSTI format of 47 hours, Sunday through Friday.

The amount requested by CSTI is \$352,246 which follows POST tuition guidelines, to fund 88,356 hours of training for 2,000 POST-reimbursement eligible students. This is an increase of approximately 500 trainees over the number of students trained last fiscal year. Also CSTI will train approximately 200 to 300 students from non-reimbursable California law enforcement agencies and approximately 400 to 500 out-of-state local law enforcement, and Federal agencies.

Additional funding of about \$300,000 for costs beyond POST tuition guidelines for POST-reimbursable students, has been requested of OCJP. Still further funding has been requested of LEAA for travel and per diem costs for non-POST reimbursable students. This amount, if approved, will include an "indirect" cost to partially subvent the entire operation, including part of the cost of training California local law enforcement officers.

In addition, anticipated claims for reimbursement are \$485,870. This estimate is based on actual amounts paid in Fiscal Year 1976-77 adjusted for projected increase in per diem rates and travel costs.

This brings the total cost for instruction, travel, per diem, and salary reimbursement to approximately \$842,317 or \$421 per trainee/\$9.53 per trainee hour.

A review of the Course Evaluation Instruments submitted by the 1976-77 CSTI trainees shows an exceptionally high rating for CSTI courses. Over-all ratings for individual courses are on a scale of 1 to 5; 1 being highest:

Officer Survival	1.14
Civil Emergency Management	1.08
Terrorism Course	1.12
Terrorism Seminar	1.68

CEI's are not available for the newest course, Investigation of Violent Crimes, but the staff audit of the first presentation indicates a similar student response. Permanent CSTI staff represents a wide range of both local law enforcement and instructional experience. Part-time consultants appear to be well-qualified and, in many cases, widely recognized experts in their fields.

One factor is deserving of special attention. The CSTI teaching method calls for instructor-intensive techniques, with classes breaking into small groups, each under a staff instructor, to go through exercise, problems, planning and critiques. Additionally, the course problems, a feature of each presentation, calls for the participation of all members of the CSTI faculty. This results in a high cost-per-hour figure for instructors.

The amount requested does not include program costs for the Crime Prevention or Bomb Disposal Courses. Funding requests for the Crime Prevention Course has just been received and no analysis of budget information has yet been made. This request has been included in the package sent to the CSTI Committee. Should the Bomb Disposal Course request arrive prior to the meeting it will be provided to committee members at the meeting.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
STANDARDS AND TRAINING DIVISION

January 4, 1978

ANALYSIS OF CSTI COURSE BUDGET FOR FISCAL YEAR 1978/1979										COURSE INFORMATION				CSTI BUDGET (POST STUDENTS ONLY)			STAFF ANALYSIS DATA (POST STUDENTS ONLY)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
TITLE	No. of Hours per Presentation	No. of Presentations Proposed	Total Classroom Hours Proposed	No. of Students per Presentation	No. of POST Students per Presentation	Total No. of Presentations	Total No. of Students, all Presentations	Total POST Students Hours	Total Cost per Presentation	Total Cost X No. of Presentations	Cost per Classroom Hour	Reimbursement per Student Hour (Travel and Per Diem)	Total POST Reimbursement per Student Hour	Course Cost Plus Reimbursement per Student Hour	Total Cost to POST																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											

*Includes Salary Reimbursement
\$502

Memorandum

Date : January 4, 1978

: William R. Garlington
Executive DirectorVia: Bradley W. Koch
Director, Standards and TrainingGeorge Estrada, *hac* Senior Consultant
From : Commission on Peace Officer Standards and Training
Standards and Training Division

Subject: DEPARTMENT OF JUSTICE CONTRACT

In a memorandum to the Executive Director, dated November 7, 1977, the Department of Justice requested \$502,376 from the Peace Officer Training Fund to support the Advanced Training Center's law enforcement training program for fiscal year 1978/79.

A review of the request was made to determine the impact it would have on the Peace Officer Training Fund.

The Advanced Training Center, if the request is approved, will offer 19 courses in 106 presentations throughout the state. Only one course is planned to be presented entirely at the Advanced Training Center. The remaining 18 are designed so that they can be presented throughout the state. The plan is to offer 70% of the presentations away from the Center and not in the northern part of the state. This will reduce the amount likely to be paid out in claims for reimbursement for travel, meals and lodging.

The amount requested by the Department of Justice is \$502,376. Using allowable costs in accordance with the tuition guidelines in the POST Administrative Manual, the requested amount could be as high as \$612,632.

Anticipated claims for reimbursement if the courses are presented are \$374,561. This amount is an adjusted figure based on the actual amounts paid out in FY 1976/77 (refer to the POST Administration Division Claims Audit Section Quarterly Report). Included are some Job Specific Courses wherein salary costs were reimbursed.

The total cost to the Peace Officer Training Fund, if the request is approved, including the request and foreseeable reimbursements, is approximately \$876,937. It is anticipated that approximately 3,900 trainees will attend the courses, or a per trainee cost of approximately \$226.01.

William R. Carlington
Executive Director
January 4, 1978
Page 2

The highest cost course offered is the Narcotics Investigation Course. This course will run approximately \$80,670 in presentation costs and \$151,125 in anticipated reimbursement costs, including 60% salary reimbursement. Total anticipated cost is \$231,795. Although the per trainee cost depends on the number attending all ten presentations at the Advanced Training Center, the cost per trainee will approximate \$927.18.

A review of the Course Evaluation Instruments, prepared by the trainees of 1976/77 Department of Justice presentations revealed that courses offered by the Advanced Training Center are generally rated above those offered by other presenters of POST certified courses.

A review of the resumes of the instructors utilized by the Advanced Training Center reveals that they appear well qualified and, in some instances, are recognized experts in their respective fields.

Refer to attached chart for itemized analysis data.

July 4, 1978

ANALYSIS OF DEPARTMENT OF JUSTICE
COURSE BUDGET FOR FISCAL YEAR
1978/1979

COURSE	COURSE INFORMATION				BUDGET INFORMATION BASED ON ATC REQUEST				ALLOWABLE COST PER POST BUDGET GUIDELINES				REIMBURSEMENT INFORMATION		
	Number of Hours Per Presentation	Number of Presentations	Total Number of Trainees	Total Number of Classroom Hours	Amount Requested Per Presentation	Total Amount Requested	Cost Per Trainee	Cost Per Classroom Hour	Allowable Cost Per Presentation	Total Allowable Cost for All Presentations	Allowable Cost per Trainee Hour	Allowable Cost per Classroom Hour			
Parad Institute	40	14	350	560	6,660	93,240	6.66	167.00	6,017	84,233	6.02	151.00	2,800	8.00	Actual Paid Claims for Fiscal Year 1976-77 Projected Cost Based on Actual Paid Claims for Fiscal Year 1976-77 Anticipated Costs per Trainee Based on Adjusted Paid F.Y. 1976-77 Claims
Modular Training	20	10	250	200	2,070	20,700	4.14	104.	2,140	21,400	4.28	107.	1,030	5.00	
Marine Investigation	20	10	250	200	2,070	20,700	4.14	104.	2,755	27,550	5.51	138.	1,000	5.00	
Marine Enforcement for Peace Officers	20	10	250	200	2,070	20,700	4.14	104.	2,755	27,550	5.51	138.	1,000	5.00	
Subtotal		34	850	950	10,800	134,640	Avg. 4.98	Avg. 125.00	10,912	133,198	Avg. 5.27	Avg. 139.00	4,800	5.00	Avg.

[illegible]

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Use of Categories of Non-Conformance in Reporting to the Commission		Meeting Date January 19-20, 1977
Division Standards and Training	Division Director Approval Brad Koch <i>Brk</i>	Res. Brd. <i>B. W. Richardson</i> B. W. Richardson
Executive Director Approval <i>W. B. Goring</i>	Date of Approval 1-4-78	Date of Report 10-26-77
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

The Standards and Training Division is currently reporting to the Commission the names of those agencies found in non-conformance without any indication as to the degree and nature of the deficiencies being reported. This could lead to misinterpretation of the data being provided and confusion as to the true status of agency conformance with Commission requirements.

FACTS BEARING ON THE ISSUE

Most of the agencies reported to the Commission as being in non-conformance with POST minimum requirements for recruitment (selection) and training of personnel are reported because of technical deficiencies; e.g., missing documentation of credit, neighborhood or reference checks; substitution of teletype verification of the CII record check for an official CII rap sheet, or use of N.C.I.C. clearance as a substitute for the F.B.I. rap sheet.

In general, these deficiencies are cleared up within two to three weeks of discovery and, depending on the nature of the deficiency, Standards and Training Division personnel re-inspect the agency to insure that the problem has been corrected.

Other agencies are listed as being in non-conformance because they are, at least temporarily, in non-conformance with the Commission's minimum requirements in the area of training. Generally speaking, most of the training deficiencies are corrected as soon as they are brought to the attention of the agency inspected.

Most of the agencies listed as being in non-conformance have deficiencies which are more technical than substantive. Very often, these deficiencies have been remedied by the time the information reaches the Commission.

The attached report identifies agencies in non-conformance (as of December 31, 1977) by categories as suggested in this report. This report can be modified to provide the recommended reporting procedure should the Commission concur with the staff recommendation.

RECOMMENDATION

Staff recommends that categories of non-conformance be adopted which by definition would give the Commission a better understanding of the types and degree of deficiencies involved when referred to in its report on conformance.

The following definitions are offered for the Commission's consideration:

- Voluntary Non-conformance: The agency is aware of its deficiencies and, despite the efforts of POST staff to bring them into conformance, is making little or no effort to conform with the Commission's standards.
- Involuntary Nonconformance: Deficiencies exist but the agency is working diligently to comply with POST standards.
- Technical Non-conformance: The agency is substantially in conformance, but minor deficiencies were noted which require additional documentation or effort on the part of the agency to fully conform to POST standards; e.g., missing documentation or a neighborhood or credit reference check.

Staff also recommends that only those agencies found to be in Voluntary Non-conformance be listed by name in the report on non-conformance to the Commission and that the categories "Involuntary Non-conformance" and "Technical Non-conformance" be reported citing the number of agencies falling under each category rather than listing the agencies by name.

-STANDARDS AND TRAINING DIVISION-
January 6, 1978

AGENCIES IN NON-CONFORMANCE

Agencies Not Inspected In 1977	Voluntary Non-conformance	Involuntary Substantial Non-conformance	Minor Technical Non-conformance
<u>Area 1</u>	Marin Co. D.A.		Marin Co. S.D. Marin Co. Coroners
<u>Area 2</u>		Dorris P.D. Montague P.D. Shasta Co. D.A.	Chico, CSU Davis, U.C. Etna P.D. Live Oak P.D. Shasta Co. S.D. Yuba Co. S.D.
<u>Area 3</u>		San Francisco Co. S.D.	Berkeley, U.C. Clayton P.D. East Bay Regional Park District Emeryville P.D. Hayward, CSU Menlo Park P.D. Piedmont P.D. Pleasanton P.D. Redwood City P.D. San Leandro P.D. Walnut Creek P.D. Contra Costa Co. Marshals Contra Costa Co. D.A. Lawrence Livermore Laboratories Los Medanos Security Southern Pacific Transportation

AGENCIES IN NON-CONFORMANCE

Agencies Not Inspected in 1977		Voluntary Non-conformance	Involuntary Substantial Non-conformance	Minor Technical Non-conformance
<u>Area 4</u>	California Highway Patrol Dept. of Fire Marshal Isleton P.D.* Plymouth P.D.*		Dept. of Alcoholic Beverage Control Colfax P.D. Ione P.D. Alpine Co. S.D.	
<u>Area 5</u>			Kerman P.D. Orange Cove P.D.	
<u>Area 6</u>			Farmersville P.D.	Kings Co. D.A. Tulare Co. D.A.
<u>Area 7</u>				Banning P.D. Beaumont P.D. Fontana P.D. Indio P.D. Perris P.D. Inyo Co. S.D.
<u>Area 8</u>			San Luis Obispo County D.A.	
<u>Area 9</u>				Pomona P.D. Los Angeles Co. S.D.
<u>Area 10</u>				Dominguez Hills, CSU El Camino Community College District Los Angeles Harbor Police Long Beach P.D.

AGENCIES IN NON-CONFORMANCE

Agencies Not Inspected in 1977	Voluntary Non-conformance	Involuntary Substantial Non-conformance	Minor Technical Non-conformance
<u>Area 11</u>			Fullerton, CSU Seal Beach P.D. San Diego Co. D.A.

AGENDA ITEM SUMMARY SHEET		
Agenda Item Title APPOINTMENTS TO ADVISORY COMMITTEE		Meeting Date January 26, 1977
Division Executive Office	Division Director Approval	Researched By Glen E. Fine
Executive Director Approval <i>W. R. Garlington</i>	Date of Approval December 27, 1977	Date of Report December 9, 1977
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

Jack Pearson has served as the PORAC representative on the POST Advisory Committee. Lieutenant Pearson was recently elected to the office of President of PORAC. He has subsequently resigned from the Advisory Committee. PORAC has nominated (see attached correspondence) as its new representative:

John Riordon, Sergeant, San Rafael Police Department

The terms of appointment of three members of the Advisory Committee expired in September 1977. The organizations represented by these three members have all requested (see correspondence attached) that they be retained as their representatives. The three members due for reappointment consideration are:

Wayne Caldwell, representing Specialized Law Enforcement

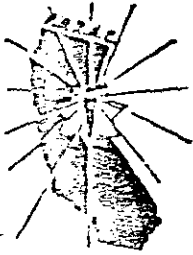
J. Winston Silva, representing the Community Colleges

Chief George Tielsch, representing the California Police Chiefs' Association

William Fradenburg, Assistant Chief, California Highway Patrol, has served as the CHP representative on the Advisory Committee. Due to Chief Fradenburg's recent reassignment, Commissioner Glen Craig has requested his replacement on the Advisory Committee (see attached correspondence). Commissioner Craig requests the appointment of:

Deputy Chief Larry A. Watkins, Commander, Training Division

Attachments



Peace Officers Research Association of California

THE OBJECTIVE OF THIS ASSOCIATION IS TO UNITE ALL PERSONS WITHIN ITS JURISDICTION FOR THEIR ECONOMIC, PROFESSIONAL AND SOCIAL ADVANCEMENT. IT SHALL BE THE AIM OF THIS ASSOCIATION TO COLLECT, STUDY, STANDARDIZE, SUMMARIZE AND DISTRIBUTE FACTUAL DATA IN ORDER TO PROMOTE THE PROFESSIONAL QUALIFICATIONS AND STANDING OF PEACE OFFICERS, TO STIMULATE MUTUAL COOPERATION BETWEEN LAW ENFORCEMENT AGENCIES, TO SECURE FOR ALL PEACE OFFICERS ADEQUATE COMPENSATION FOR THEIR PROFESSIONAL DUTIES AND TO IMPROVE CONDITIONS OF EMPLOYMENT.

November 11, 1977

STATE OFFICE

SENATOR HOTEL
12th & "L" STREETS
SACRAMENTO, CALIFORNIA 95814
(916) 441-0660

Mr. William Garlington, Executive Director
Commission on POST
7100 Bowling Drive
Sacramento, California 95823

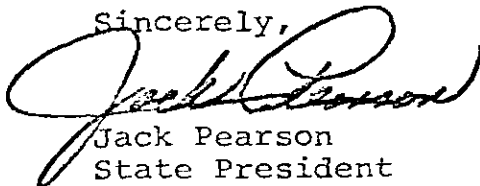
Dear Bill:

As you know, I have just been elected President of the Peace Officers Research Association of California. I fear that my time will be severely curtailed because of this position, and doubt that I can properly carry out my duties on the POST Advisory Committee.

It is with regret that I must resign from the Advisory Committee. However, I am pleased to report that I have nominated John Riordan to replace me and his name has been ratified by my Board of Directors. John has worked diligently for PORAC and law enforcement for many years. He is a past Director and State Legislative Chairman. At the present time, he is a sergeant assigned as training manager with the San Rafael Police Department. I am sure that his dedication and broad experience will be an invaluable asset to the Committee. Please bring John's name to the Commission for approval as the PORAC representative on the Advisory Committee.

Bill, it has been a distinct pleasure to work with you and your staff, and I thank you, Glen, Hal, Georgia and the numerous others for all the assistance and genuine cooperation I have received. I look forward to a continued, close relationship between our organizations.

Sincerely,


Jack Pearson
State President

JP:dh

cc: GLEN FINE ✓

RECEIVED 11/14/77

ASSOCIATION OF CALIFORNIA



CALIFORNIA STATE EMPLOYEES' ASSOCIATION

1108 'O' STREET

SACRAMENTO, CALIFORNIA 95814

PHONE (916) 444-8134

COMMISSION ON POST
JUL 26 10 35 AM '77

July 25, 1977

REPRESENTING

the people who serve the people

Mr. William J. Anthony, Chairman
Commission on Peace Officer Standards
and Training
7100 Bowling Drive, Suite 250
Sacramento, California 95823

Dear Mr. Anthony:

I am in receipt of your letter pertaining to Mr. Wayne Caldwell's service to the POST Advisory Committee. Your kind remarks on Mr. Caldwell's service are greatly appreciated by CSEA and me, personally.

Wayne Caldwell has served CSEA and his fellow employees in a most exemplary manner over the years.

By this letter, I am reaffirming our desire to have Mr. Caldwell serve on the POST Advisory Committee for the upcoming year. I feel Wayne will continue to be an asset to CSEA and your committee.

Thank you, again, for your kind remarks and desire to have Wayne serve on your committee.

Sincerely,

for Robert L. Western
Dan L. Western
General Manager

bja

TO: J. A. WESTER
ATTENTION: CHAIRMAN
JUL 26 10 35 AM '77
JAMES E. WESTER
WILLIAM J. WESTER
SECRETARY
J. A. WESTER
PATRICK J. WESTER
W. J. WESTER
DONALD L. WESTER
JOHN E. WESTER
HAROLD E. WESTER
JOHN E. WESTER
PAUL D. WESTER
RICHARD L. WESTER
JAMES E. WESTER
JOHN E. WESTER
ROBERT L. WESTER
JOHN E. WESTER
NELL E. WESTER
KATHLEEN E. WESTER
GORDON E. WESTER
JACK E. WESTER
HOWARD E. WESTER
WILLIAM E. WESTER
TOMMY E. WESTER
CHARLES E. WESTER
GENERAL MANAGER
DAN L. WESTER

CHANCELLOR'S OFFICE

CALIFORNIA COMMUNITY COLLEGES

1232 S STREET
SACRAMENTO, CALIFORNIA 95814

(916) 445-0486



November 4, 1977

Mr. William J. Anthony
Chairman
Commission on Peace Officer
Standards and Training
7100 Bowling Drive, Suite 250
Sacramento, CA 95823

Dear Mr. Anthony:

Thanks for your letter regarding J. Winston Silva, who has served on your POST Advisory Committee. I'm pleased that Mr. Silva has been such an effective member of the Committee. Please reappoint him for a three-year term.

Sincerely,

A handwritten signature in cursive script that reads "Gerald D. Cresci".

Gerald D. Cresci, Acting Assistant Chancellor
Occupational Education

GDC:cf

cc: J. Winston Silva
William Craig
Gus Guichard



California POLICE CHIEFS Association Inc.

1107 NINTH STREET, SUITE 800
SACRAMENTO, CALIFORNIA 95814
TELEPHONE 916-442-6503

September 14, 1977

President
DUANE BAKER
Sacramento

1st Vice President
JAMES H. JOHNSON
E. Seg-ndo
Chairman
IAC Conference Committee
Membership Committee

2nd Vice President
WALTER L. JOHNSON
D. Seg-ndo
Chairman
By Laws Committee

3rd Vice President
GEORGE P. TIELSCH
Santa Monica
Chairman
Advisory Committee

Secretary
RICHARD J. LONG
Santa Maria

Treasurer
RAYMOND W. FORSYTHE
Visalia

EXECUTIVE BOARD:
JOHN J. NORTON
Fresno City
Chairman
Legislative Committee

JOHN J. KUNDITZ
Sacramento

ROBERT H. MCGOWAN
Pasadena

J. LAVERNE COPPOCK
San Mateo
Chairman
Training Committee

ARTHUR G. LABLANC
Coronado
Chairman
Professional Standards and
Ethics Committee

WALFOLD A. JOHNSON
Los Angeles

4th President
J. C. SMITH
Longwood
Chairman
Annual Conference Committee
Nominating Committee

President
League of California Cities
Police Chiefs Section
J. LAVERNE COPPOCK
San Mateo

Director
League of California Cities
Police Chiefs Section
RAYMOND C. DAVIS
Santa Ana

AREA REPRESENTATIVES
205-DALE W. ANDERSON
Tulare

212-LOREN D. MORGAN
Downey

408-BEN W. COOPER
Seaside

413-JAMES L. CHAMBERS
Concord

707-4. J. GIBSON
Arcata

714-60-RAYMOND L. McLEAN
Montclair

714-50-LEAPLE ROBITAILLE
Huntington Beach

808-ROBERT P. OWENS
Orland

818-JOHN T. CROW
South Lake Tahoe

Mr. William J. Anthony
Commission on Peace Officer
Standards and Training
7100 Bowling Drive, Suite 250
Sacramento, CA 95823

Dear Tony:

Please forgive the undue delay in responding to your letter of July 18th concerning Chief Tielsch's representation on the Advisory Committee to the Commission. I had been waiting to bring this matter to the attention of the Police Chiefs' Executive Board but we will not be meeting until September 21st.

In the meantime I have talked to George and as you know he is a candidate for 6th Vice President of the IACP. Pending the outcome of his campaign he would like to remain on the Advisory Committee, however, if he is elected he would not have the time to fulfill that commitment.

I agree with George's desires and would ask that you retain him as our representative pending his formal resignation.

Sincerely,

Duane R. Baker
President

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P.O. BOX 878

SACRAMENTO, CALIFORNIA 95804

(916) 445-7473



December 20, 1977

File No.: 1.A2262.A2262

William R. Garlington
Executive Director
Peace Officer Standards and
Training
7100 Bowling Drive, Suite 250
Sacramento, CA 95823

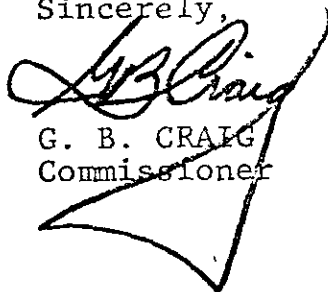
Dear Director Garlington:

Effective January 1, 1978, Deputy Chief Larry A. Watkins will become commander of Training Division to replace Assistant Chief W. A. Fradenburg who is being assigned to Valley Division.

We request that you appoint Chief Watkins as a member of the POST Advisory Committee to complete Chief Fradenburg's unexpired term.

Please be assured of our continued interest and cooperation in law enforcement issues.

Sincerely,



G. B. CRAIG
Commissioner

DEC 20 3 42 PM '77

COMMISSIONER OF POST

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title POST Management Course (Contract)		Meeting Date January 26-27, 1978
Division Standards and Training	Division Director Approval Bradley W. Koch <i>BW</i>	Researched By George Fox
Executive Director Approval <i>W. J. Salinger</i>	Date of Approval 11-21-77	Date of Report November 17, 1977
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page ____).

BACKGROUND

At the request of the Commission, California State University - San Jose has revised the POST Middle Management Course into the new POST Management Course based on the performance objectives format.

Cost per presentation:

First presentation - \$7,717.71 (Includes \$900 development costs.)

Subsequent presentations - \$6,682.71

Total amount of contract for three presentations - \$21,083.12

ANALYSIS

The revised POST Management Course is 80 hours in length and is presented in an intensive format. There are from 20 to 25 students in each class. The class is POST mandated for newly appointed middle management personnel. There are about 600 persons that require the training each year.

The proposed 80-hour course is partially team taught for a total of 124 hours of instruction. An on-site coordinator will be present during the entire course. The proposed budget and fiscal statement reflect that the course cost is based upon the \$25 per hour maximum.

FISCAL IMPACT

A categorical breakdown of funds allocated for each course is as follows:

	<u>Total</u>
Instruction:	
124 hours at \$25 per hour	\$3,100.00
Coordination:	
80 hours at \$9.00 per hour	720.00
Clerical:	
100 hours at \$5.00 per hour	500.00

Utilize reverse side if needed

POST Management Course (Contract)

Fiscal Impact (continued)

Printing-Reproduction:

25 packets of 400 pages plus printing materials	\$ 500.00
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Supplies:

Testing devices and Questionnaires	301.00
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Certificates - 25 at \$2.00 each	50.00
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Notebooks and indicies 25 at \$7.25	181.25
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Travel:

Instructor travel 392 miles at \$.15 per mile.	58.80
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Miscellaneous

Film rental	100.00
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Meeting room rental - 10 days at \$30.00 per day	300.00
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Total direct cost	\$5,811.05
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Total indirect cost	871.66
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Total cost	\$6,682.71
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RECOMMENDATIONS

1. Authorize three (3) contract presentations during the next year. Courses to be held on:
June 5 - 16, 1978; October 2 - 13, 1978; January 2 - 13, 1979
2. Course costs: First presentation not to exceed \$7,717.71, second and third presentations not to exceed \$6,682.71. Total for the three (3) presentations not to exceed \$21,083.12.
3. Each course presentation to have 20 to 25 POST reimbursable students and a minimum of 65 POST reimbursable students will attend the three authorized presentations.
4. Funds not expended will be returned to the Peace Officer's Training Fund.

POST Management Course (Contract)

RECOMMENDATIONS (continued)

5. At the conclusion of each course offering, an itemized statement of expenditures shall be submitted to POST before payment will be authorized.
6. Team teaching will be defined as two instructors in the classroom for actual teaching purposes and under conditions which the particular subject matter, material or format of instruction may require, which may include workshops, exercises or panel discussions. No coordinator or observer shall be considered a teacher.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Civilian Tear Gas Training Problem		Meeting Date January 26, 27, 1978
Division Standards and Training	Division Director Approval <i>Brackley L. Koch</i>	Researched By Ray Bray
Executive Director Approval <i>W. R. Darling</i>	Date of Approval 1-5-78	Date of Report December 28, 1977
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

PROBLEM STATEMENT

POST staff has received numerous inquiries from persons desiring training in the use of Tear Gas, as well as those desiring certification for presenting Civilian Tear Gas Training. The reason for the inquiries and requests is said that Civilian Tear Gas Training is difficult to obtain in southern California due to lack of response by the Community College System in obtaining certification from the Department of Justice which would permit them to present such training.

FACTS BEARING ON THE PROBLEM

Pursuant to Section 12403.7 P.C., the Department of Justice can certify only those training institutions which are certified by POST to conduct Tear Gas Training. (See Attachment A)

Of the 104 training institutions certified by POST to conduct Tear Gas Training only 29 have requested and received certification from the Department of Justice to present Civilian Tear Gas Training pursuant to Section 12403.7 P.C.

Of the 29 institutions, only three of them are in southern California; one in San Diego, one in Pasadena, and one in Los Angeles. Both the Pasadena and the Los Angeles institutions are oversubscribed with a one year waiting list for attendees. No apparent problem exists in central or northern California.

Potential presenters who are currently certified by POST to present Tear Gas Training list among their reasons for not wishing to present the training as:

- Reluctance of law enforcement advisory committees to present such training.
- Potential liability for misuse by civilians after training.
- Lack of potential income for conducting such training.

Because 12403.7 P.C. restricts certification by the Department of Justice to those institutions certified by POST to present Tear Gas Training, staff has received many requests, (by telephone and letter), from private institutions and businesses to be certified so that they can then apply to the Department of Justice for certification to present Civilian Tear Gas Training. (See Attachment B)

Since POST's responsibility and policy is to certify training courses for law enforcement personnel only and we do not certify presenters per se, most of the businesses and institutions who have expressed a desire to provide the Tear Gas Training for civilians are effectively blocked from certification by the Department of Justice. In any event, POST has no responsibility for civilian training and the Commission may choose to refer this matter to the Commission Legislative Committee to consider a request for an amendment to the existing law.

Utilize reverse side if needed

ATTACHMENT A

Section 1. Section 12403.7 of the Penal Code is amended to read:

12403.7 P.C.

(a) Notwithstanding any other provision of law, any person may purchase, possess or use tear gas and tear gas weapons for the projection or release of tear gas if such tear gas and tear gas weapons are approved by the Department of Justice and are used solely for self-defense purposes, subject to the following requirements:

(1) No person convicted of a felony under the laws of the United States, of the State of California, or any other state, government, or country shall purchase, possess, or use tear gas or tear gas weapon.

(2) No person who is addicted to any narcotic drug shall purchase, possess, or use tear gas or tear gas weapons.

*** (3) No person shall sell or furnish any tear gas or tear gas weapon to a minor.

*** (4) (i) No person shall purchase, possess or use any tear gas weapon which expels a projectile, or which expels the tear gas by any method other than an aerosol spray; or which is of a type, or size of container, other than authorized by regulations of the Department of Justice.

(ii) The department, with the cooperation of the State Department of Health, shall develop standards and promulgate regulations regarding the type of tear gas and tear gas weapons which may lawfully be purchased, possessed, and used pursuant to this section.

(iii) The regulations of the department shall include a requirement that every mace container and tear gas weapon which may be lawfully purchased, possessed, and used pursuant to this section have a label which states: "WARNING: The use of this substance or device for any purpose other than self-defense is a felony under California law. The contents are dangerous-use with care."

*** (5) (i) No person shall purchase, possess, or use any tear gas or any tear gas weapon who has not completed a course certified by the Department of Justice in the use of tear gas and tear gas weapons pursuant to which a card is issued identifying the person who has completed such a course. Such a course *** shall be taken in any training *** institution certified by the Commission on Peace Officer Standards and Training to offer *** tear gas training. Such a training *** institution is authorized to charge a fee covering the actual cost of such training.

(ii) The Department of Justice, in cooperation with the Commission on Peace Officer Standards and Training, shall develop standards for a course in the use of tear gas and tear gas weapons.

*** (6) No person shall purchase, possess or use any tear gas or tear gas weapon if such person has not been issued a permit by the police chief or sheriff having jurisdiction over the person's place of legal residence. The police chief or sheriff shall issue a permit to any person who has completed the course of training specified in paragraph *** (5), *** and who meets the following criteria:

(i) Is not a minor.

(ii) Has not been convicted of a felony.

(iii) Is not addicted to any narcotic drug.

(iv) Has not been convicted of any crime involving assault.

(v) Has not been convicted of misuse of tear gas under paragraph (8).

*** (7) If an application for a permit is denied, the police chief or sheriff denying such permit shall inform the applicant in writing of the reason for such denial.

The police chief or sheriff may charge a fee covering the actual cost of processing the application which shall also include the fee charged by the Department of Justice for noncriminal fingerprint card processing. The valid permit shall be carried on the person when carrying tear gas or tear gas weapons and shall be presented for examination to the vendor from whom any tear gas weapons are purchased. The sale of tear gas or tear gas weapons by a vendor to a person who fails to present an identifying permit is a violation of Section 12420.

*** (8) Any person who has a valid permit, who uses tear gas or tear gas weapons except in self-defense or as authorized for training purposes by the department is guilty of a public offense and is punishable by imprisonment in a state prison for 16 months, or two or three years or in a county jail not to exceed one year or by fine not to exceed one thousand dollars (\$1,000) or by both such fine and imprisonment.

*** (9) No person shall purchase, possess, or use any tear gas or tear gas weapon pursuant to this section prior to July 1, 1977.

(b) Such permit shall be valid for a period of seven years unless revoked because the person no longer meets the criteria specified under paragraph (6), and shall be nontransferable.

Applications and permits shall be uniform throughout the state on forms prescribed by the Department of Justice.

The Department of Justice may adopt and promulgate such regulations concerning the purchase and disposal of self-defense tear gas weapons as are necessary to insure the safe use and possession of such tear gas weapons by permit holders.

CALIFORNIA SECURITY TRAINING SCHOOL

4001 Pacific Coast Highway, Suite 110
Torrance, California 90505
(213) 375-0654

Commission on Peace Officer
Standards and Training
7100 Bowling Drive,
Sacramento, Calif. 95813
Attn: Mr. Gene DeKrona

December 19, 1977

Mr. DeKrona,

Enclosed please find copies of our instructors outlines, text material, and final examination for teaching Non-Lethal Chemical Agents to the public.

I am requesting P.O.S.T. certification for this course in addition to Baton and Chemical Agents for security guards. (Copies of course materials and tests are in the possession of Mr. Ron Allen, along with our written request for certification of these two courses.)

Also enclosed is a copy of our approval by the State Department of Education to teach these courses.

As you are aware there is a tremendous need for these subjects in the Southern California area, and I am looking forward to your certification of these courses in the very immediate future.

Sincerely,
California Security Training School

John P. Love,
Administrator

JFL/lm
Enc.



De Anza College

21250 Stevens Creek Blvd.
Cupertino, CA 95014

December 7, 1977

William Garlington, Director
P.O.S.T.
7100 Bowling Drive - Suite 250
Sacramento, CA. 95823

Dear Mr. Garlington:

De Anza College Administration of Justice Department requests P.O.S.T. Certification to provide the following courses:

D.D. # 77-13-136 Security Guard Baton Training
137 Mace and Chemical Agents (primarily for private citizens)
138 Firearms Training for Private Security
139 P.C. 832

For the past year we have offered Powers of Arrest Part II for private security persons. We are approved by Department of Consumer Affairs to provide firearms training, however, I am advised that this requires P.O.S.T. certification. Additionally, we have received numerous requests to provide courses in the related areas listed above.

De Anza does not seek to duplicate courses or offerings readily available in this area; however, we are ready to meet such request if properly certified.

We are willing to be of assistance in any way we can. Please advise us of the necessary procedures to obtain such certification at your earliest convenience.

Very truly yours,

No Back-Up Material

Sidney Friedman

Sidney Friedman, Executive Head
Administration of Justice Department

SF:sb

cc: Oscar Ramirez, Area Dean
Walt Travis, Division Dean
Vern Renner, CJRS

DEC 12 10 22 AM '77

COMMISSION ON POST

COMMUNITY COLLEGE CONSULTANTS
8696 South Atlantic Ave • Suite 11 • South Gate Ca. 90280 • (213) 567-0557

January 16, 1978

Mr. Gene DeCrona
Senior Consultant
Standards and Training Division
Commission on Peace Officer
Standards and Training
Suite 100
7100 Bowling Drive
Sacramento, California 95823

Re: Your request for course outlines.

Dear Mr. DeCrona:

As you requested, I am enclosing herewith the course outlines for the following classes:

1. Tear Gas for Citizens
2. Baton Training for Uniform Security Guards
3. Report Writing

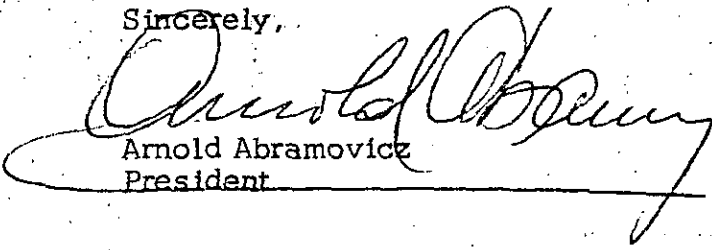
All instructors that will be teaching tear gas and baton training classes meet the following school employment requirements:

- A. P.O.S.T. advanced training certificate.
- B. Adult education and/or community college credential.
- C. Law enforcement personnel.

Upon request we will supply you with the names of all proposed instructors and photocopies of the above-mentioned certificates and credentials. Should you have any questions or require additional information concerning this material, please do not hesitate to call my office.

I am looking forward to your reply.

Sincerely,


Arnold Abramovicz
President

AA:gl
Encls.

AGENDA ITEM SUMMARY SHEET		
Agenda Item Title POST Management Course (Contract)		Meeting Date January 26 - 27, 1978
Division Standards and Training	Division Director Approval Bradley W. Koch <i>[Signature]</i>	Researched By Gene K. Cartwright
Executive Director Approval <i>[Signature]</i>	Date of Approval 1-19-78	Date of Report January 19, 1978
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page ____).		
BACKGROUND At the request of the Commission, the Intergovernmental Training and Development Center in San Diego County has developed a POST Middle Management Course in the Performance Objectives format. Cost per presentation: First presentation - \$7,730.00 (Includes \$900 development costs) Subsequent presentations - \$6,830.00 Total amount of contract for 2 presentations - \$14,560.00		
ANALYSIS This new Performance Objective Management Course is 80 hours in length and is presented in an intensive format. There are from 18 to 24 students in each class. The class is POST mandated for newly appointed middle management personnel. There are approximately 600 persons that require this training each year. The proposed 80-hour course is partially team taught for a total of 120 hours of instruction. An on-site coordinator will be present during the entire course. The proposed budget and fiscal statement reflect that the course cost is based upon the \$25 per hour maximum.		
FISCAL IMPACT		
Instruction:	TOTAL	
120 hours at \$25 per hour		\$3,000.00
Coordination:		
80 hours at \$9 per hour		720.00
Clerical:		
80 hours at \$5 per hour		400.00
Printing-Reproduction:		
440 pages at 5¢ per page plus printing materials		450.00
Utilize reverse side if needed		

Fiscal Impact (continued)

Supplies:

Notebooks - 20 at \$4 each	\$80.00
Certificates - 20 at 50¢ each	10.00

Travel:

Instructor Travel 300 miles at 15¢ per mile	45.00
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Miscellaneous:

Film rental	210.00
Meeting room rental - 10 days at \$40 per day	400.00

Total direct cost \$5,939.00

Total indirect cost 891.00

Total cost \$6,830.00

RECOMMENDATIONS

1. Authorize 2 contract presentations during the next year. Courses to be held on April 3 - 14, 1978 and September 11 - 22, 1978.
2. Course costs: First presentation not to exceed \$7,730.00, second and third presentations not to exceed \$6,830. Total for 2 presentations - \$14,560.00.
3. Each course presentation to have 18 - 24 POST reimbursable students and a minimum of 40 POST reimbursable students will attend the 2 authorized presentations.
4. Funds not expended will be returned to the Peace Officer's Training Fund.
5. At the conclusion of each course offering, an itemized statement of expenditures shall be submitted to POST before payment will be authorized.
6. Team teaching will be defined as two instructors in the classroom for actual teaching purposes and under conditions which the particular subject matter, material or format of instruction may require, which may include workshops, exercises or panel discussions. No coordinator or observer shall be considered a teacher.